

From:

(b) (6), (b) (7)(C)

To:

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

Subject:

TON Article re: border wall

Date:

Thursday, January 26, 2017 3:26:37 PM

## FYSA

SELLS, Ariz. - President Donald Trump's executive action ordering the construction of a border wall may face challenges in Arizona if the Tohono O'odham Nation decides they don't want the wall.

The tribe comprises 2.7 million acres of southern Arizona, including 75 miles along the border. The tribe's land also extends into Mexico.

"These are Native lands and the president doesn't have the unilateral power to take those lands away," said Andrew Gordon, an attorney with the Coppersmith Brockelman law firm.

Gordon worked as counsel for the Department of Homeland Security under the Obama Administration and was focused on the southwest border. He explains the actual border belongs to the U.S government, but everything up to that point is sovereign tribal land.

"That dispute is either going to get resolved in the courts or in congress," Gordon said.

Back in November, Tohono O'odham Vice Chairman Verlon Jose [told Phoenix radio station KJZZ](#) that Trump's wall would be built "over my dead body."

<http://www.12news.com/news/local/arizona/border-wall-may-face-arizona-hurdle-from-tohono-oodham/392842729>

(b) (6), (b) (7)(C)

Kearns & West

OA/FM&E/BPFTI PMO

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)  
To: (b) (6), (b) (7)(C)  
Subject: Resolution  
Date: Wednesday, February 22, 2017 1:50:59 PM  
Attachments: [17-053-Border-Security-and-Immigration-Enforcement-on-the-Tohono-Oodham-Nation.pdf](#)

---

FYI---resolution regarding Wall.

(b) (6), (b) (7)(C)

Senior Attorney

Office of Assistant Chief Counsel, Indianapolis

Customs and Border Protection

ph: (b) (6), (b) (7)(C)

~~***This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Assistant Chief Counsel Indianapolis, U.S. Customs and Border Protection before disclosing any information contained in this email.***~~

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Border Security and Immigration Enforcement on the Tohono O'odham Nation)**

**RESOLUTION NO. 17-053**

1 **WHEREAS,** the Tohono O'odham and our ancestors have from time immemorial inhabited  
2 lands from the Gila River area in present-day Arizona south to the Sea of Cortez  
3 in northern Mexico and the Constitution of the Tohono O'odham Nation  
4 provides, "It shall be the policy of the Tohono O'odham Nation to seek the return  
5 to the Tohono O'odham Nation of lands and natural resources, including  
6 minerals and water rights, within or adjacent to the Tohono O'odham Nation, or  
7 which originally were a part of the historic Papagueria." (Constitution, Article  
8 XVI, Section 9); and

9 **WHEREAS,** in 1854 the United States created an international boundary with Mexico that  
10 cuts through Tohono O'odham lands and that forms the 62-mile southern  
11 boundary of the Tohono O'odham Nation's main reservation; and

12 **WHEREAS,** the Nation's members experience the direct negative impacts from illegal  
13 immigration and drug trafficking across the international boundary, including  
14 violence and crime, damage to the Nation's cultural resources, increased  
15 demands on tribal law enforcement, illegal dumping, and environmental  
16 degradation; and

17 **WHEREAS,** unlike national forests, wilderness areas, and other federal lands on the  
18 international boundary dividing the United States and Mexico, the Nation's  
19 reservation is not public land, it is reserved for the benefit of the Nation and its  
20 members, and the Nation has a duty to ensure that tribal members' rights and  
21 the Nation's sovereignty are protected; and

22 **WHEREAS,** the Constitution of the Tohono O'odham Nation vests the Tohono O'odham  
23 Legislative Council with the power to consult with the Congress and federal  
24 agencies regarding federal activities that affect the Tohono O'odham Nation,  
25 and federal agencies are required by Executive Order No. 13175, presidential  
26 memorandums, and departmental and agency policies to consult and  
27 collaborate with affected Indian tribes on federal policies and actions having a  
28 substantial direct effect on tribes (Constitution, Article VI, Section 1(f) and (j));  
29 and

**RESOLUTION NO. 17-053**

**(Border Security and Immigration Enforcement on the Tohono O'odham Nation)**

**Page 2 of 6**

1 **WHEREAS,** the duty to protect Nation's lands and resources, and its sovereignty and  
2 jurisdiction, including in the Nation's dealings with the United States Customs  
3 and Border Protection ("CBP"), Immigration and Customs Enforcement ("ICE"),  
4 and other agencies within the United States Department of Homeland Security  
5 ("DHS") operating on the Nation's boundary with Mexico, is consistent with the  
6 DHS Tribal Consultation Policy in which, "The United States recognizes the right  
7 of Federally-recognized Indian Tribes ("Indian Tribes") to self-government.  
8 Indian Tribes exercise inherent sovereign powers over their members and  
9 territories." DHS Tribal Consultation Policy, I.A.; and

10 **WHEREAS,** the Nation has for decades authorized border security measures designed to  
11 counter drug- and human-trafficking and other border crimes when those  
12 measures protect Nation's members, lands and resources, and the security of  
13 the United States while respecting the Nation's sovereignty and members'  
14 rights; and

15 **WHEREAS,** the Nation has authorized the construction and maintenance of physical vehicle  
16 barriers along the Nation's southern border subject to compliance with the  
17 National Environmental Policy Act, Federal Water Pollution Control Act, the  
18 National Historic Preservation Act, Native American Graves Protection and  
19 Repatriation Act and additional laws (Resolution No. 04-095, as amended;  
20 Resolution No. 08-705); and

21 **WHEREAS,** the Nation has supported the construction and operation of two CBP forward  
22 operating bases on the Nation's lands, an on-reservation ICE office, and CBP  
23 checkpoints on reservation highways, provided that human and civil rights of  
24 the Nation's members are respected and subject to additional conditions; and

25 **WHEREAS,** the Nation leads a multi-agency anti-drug smuggling task force staffed by  
26 Tohono O'odham Police Department detectives, ICE Homeland Security  
27 Investigations special agents, Border Patrol agents, and the Federal Bureau of  
28 Investigation through the Native American Targeted Investigations of Violent  
29 Enterprises task force, the only tribe-led High Intensity Drug Trafficking Area  
30 ("HIDTA") task force in the United States, and the Nation continues to support

**RESOLUTION NO. 17-053**

**(Border Security and Immigration Enforcement on the Tohono O'odham Nation)**

**Page 3 of 6**

- 1                   the federal funding, full staffing, and deployment of ICE's all-Native American  
2                   Shadow Wolf tactical unit on Nation's lands; and
- 3   **WHEREAS,**   the Nation has supported the construction and maintenance of the roadway  
4                   along the Mexican border that CBP uses to patrol the international boundary,  
5                   and the Nation continues to work on and seek funding to improve its roadways  
6                   near the border, which are heavily used and impacted by CBP, for the benefit of  
7                   Nation's members and law enforcement; and
- 8   **WHEREAS,**   the Nation supports entering into a government-to-government agreement with  
9                   the DHS as recommended by the Government Accountability Office Report GAO-  
10                  13-352 to improve coordination between DHS and the Nation; and
- 11   **WHEREAS,**   on January 25, 2017, President Trump issued Executive Order 13767, "Border  
12                  Security and Immigration Enforcement Improvements," directing the  
13                  construction of a physical wall on the United States's southern border with  
14                  Mexico (Executive Order 13767, Section 2(a) and Section 4(a)); and
- 15   **WHEREAS,**   while the Nation coordinates closely with CBP and ICE and has supported the  
16                  construction of vehicle barriers, the Nation opposes the construction of a wall  
17                  on its southern boundary with Mexico; and
- 18   **WHEREAS,**   a continuous wall on the Nation's southern boundary would
- 19                  •       further divide the Nation's historic lands and communities; and
  - 20                  •       prevent Nation's members from making traditional crossings for  
21                  domestic, ceremonial, and religious purposes, including the annual St.  
22                  Francis pilgrimage to Magdalena, Mexico and cultural runs;
  - 23                  •       deny tribal members access to cultural sites, ceremonies, and traditional  
24                  cemeteries for burying family members;
  - 25                  •       prevent wildlife from conducting migrations essential for survival and  
26                  general life, health and existence;
  - 27                  •       injure endangered species such as the jaguar and other wildlife sacred to  
28                  the Tohono O'odham;
  - 29                  •       destroy saguaro cactus and other culturally significant plants;
  - 30                  •       militarize the lands on the Nation's southern boundary;

**RESOLUTION NO. 17-053**

**(Border Security and Immigration Enforcement on the Tohono O'odham Nation)**

**Page 4 of 6**

- 1                     •       disturb or destroy tribal archeological, sacred sites, and human remains;  
2                     and  
3   **WHEREAS,**     the Nation has likewise opposed the waiver of federal, state, and other laws  
4                     under section 102(c) of the Illegal Immigration Reform and Immigrant  
5                     Responsibility Act of 1996 ("IIRIRA"), as amended, for the construction of border  
6                     fencing and roads as unnecessary, destructive, and in violation of the federal  
7                     obligation to interact with Indian tribes on a government-to-government basis  
8                     and to respect tribal sovereignty and self-determination (Resolution No. 08-062);  
9                     and  
10   **WHEREAS,**    Executive Order 13767 also cites the need for additional federal agents on the  
11                    southern border but does not provide funding for ICE's Shadow Wolf tactical  
12                    patrol unit, an all-Native American force of ICE tactical officers operating on the  
13                    Nation's lands that is staffed at less than 50% of its originally authorized  
14                    strength; and  
15   **WHEREAS,**     the Domestic Affairs, Agricultural and Natural Resources, Appropriations, and  
16                    Cultural Preservation Committees, in consultation with the Nation's Chairman,  
17                    recommend that the Legislative Council affirm the Nation's position on border  
18                    security and immigration enforcement on the Tohono O'odham Nation.  
19   **NOW, THEREFORE, BE IT RESOLVED** that the Tohono O'odham Legislative Council supports  
20                    (1)     the construction and maintenance of vehicle barriers on the Nation's  
21                    southern boundary with Mexico in accordance with prior Legislative  
22                    Council resolutions and laws of the Nation, and federal laws and  
23                    regulation governing the use of tribal lands;  
24                    (2)     consultation, collaboration, and direct tribal participation by the Nation  
25                    and all affected tribes in the development of the DHS Secretary's  
26                    comprehensive study of the security of the southern border and any  
27                    policies or actions implementing Executive Order 13767 and other  
28                    border security measures;  
29                    (3)     entering into a government-to-government agreement with the DHS to  
30                    improve on-reservation border security coordination; and  
31                    (4)     adequate funding for the maintenance and repair of reservation  
32                    roadways jointly used by CBP and Nation's members;

**RESOLUTION NO. 17-053**

**(Border Security and Immigration Enforcement on the Tohono O'odham Nation)**

**Page 5 of 6**

- (5) funding for the Native American Targeted Investigations of Violent Enterprises HIDTA Task Force;
- (6) funding and restored staffing of the ICE Shadow Wolf tactical unit; and
- (7) funding to fill on-reservation public safety radio coverage gaps and allow for Tohono O'odham Department of Public Safety to communicate directly with CBP and other law enforcement partners.

**BE IT FURTHER RESOLVED that the Tohono O'odham Legislative Council opposes**

- (1) the construction of a physical wall on the Nation's southern boundary; and
- (2) the application of IIRIRA Section 102(c) waivers of federal and other laws on the Nation's lands.

**BE IT FINALLY RESOLVED that the Nation's official representatives are authorized to present the terms of this resolution and other resolutions and positions previously approved by the Tohono O'odham Legislative Council to the federal government, state and local governments and other Indian tribes or their departments, agencies, or political subdivisions, private persons and organizations, including but not limited to the National Congress of American Indians and Inter Tribal Council of Arizona.**

**The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup> day of FEBRUARY, 2017 at a meeting at which a quorum was present with a vote of 2,279.3 FOR; 742.1 AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the Council by Article III; Article VI, Section 1(c)(f)(i)(j), and Section 2(d); Article XVI; and Article XVIII of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

*Guicinda J. Allen For*  
**Timothy Joaquin, Legislative Chairman**

*7<sup>th</sup>* day of *February*, 2017

RESOLUTION NO. 17-053

(Border Security and Immigration Enforcement on the Tohono O'odham Nation)

Page 6 of 6

ATTEST:

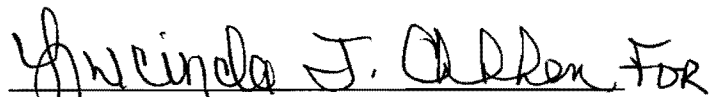


Evonne Wilson, Legislative Secretary

7 day of February, 2017

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 7 day of February, 2017 at 5:40 o'clock, P.m., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


  
Timothy Joaquin, Legislative Chairman

☒ APPROVED

on the 8 day of February, 2017

☐ DISAPPROVED

at 11:05 o'clock, A.m.

  
EDWARD D. MANUEL, CHAIRMAN  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 8<sup>th</sup> day of February, 2017, at 11:15 o'clock, A.m.

  
Evonne Wilson, Legislative Secretary



ACTION: BORDER SECURITY AND IMMIGRATION ENFORCEMENT ON THE TOHONO O'ODHAM NATION

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILMAN ANTHONY J. FRANCISCO, JR.

DATE: FEBRUARY 07, 2017

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH <i>(Absent)</i> (Gloria Zazueta) <i>(Present)</i>	183.60	X			X
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marla Kay Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			X
	2. LORETTA LEWIS ( )	132.50	X			
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ <i>(Absent)</i> (Shirley Molina) <i>(Present)</i>	102.90	X			
	2. SANDRA ORTEGA ( )	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE <i>(Absent)</i> (Caroline D. Garcia) <i>(Present)</i>	109.95	X			
	2. MONICA K. MORGAN ( )	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL (Lorraine Eller)	113.25	X			
	2. JANA MONTANA (Gloria Ramirez)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III <i>(Absent)</i> (Felicia Nunez) <i>(Present)</i>	114.3		X		
	2. RACHEAL VILSON-STONER (Olivia Villegas-Liston)	114.3		X		
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ( )	90.3	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.3	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75		X		
	2. BARBARA HAVIER (Idaleen Reyes)	256.75		X		X
SIF OIDAK 231.6	1. LUCINDA ALLEN ( )	115.80	X			
	2. MARY LOPEZ ( )	115.80	X			X
TOTAL		3,021.4	2,279.3	742.1	-0-	[04]

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE Section of DRAFT PMP  
**Date:** Wednesday, February 08, 2017 9:34:38 AM  
**Attachments:** [Real Estate Summary from PMP 2-8-17.docx](#)  
**Importance:** High

---

(b) (6), (b) (7)(C)

Attached is the RE Section of the PMP (Section 15).

I just took the liberty of adding a few more points to it than were already in there, but I didn't change much.

It's one of those things...every time I look at it, I think of new points to add. 😊

(b) (5)

Hope this helps...

Very Respectfully,

(b) (6), (b) (7)(C) **MBA PMP**  
Real Estate Program Manager  
LMI Government Consulting  
Border Patrol Air and Marine  
Program Management Office  
Facilities Management and Engineering  
U.S. Customs and Border Protection

Blackberry: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

*Excel as a trusted strategic partner enhancing  
Border Patrol's proud legacy.*

## Real Estate Strategy

Currently there are three planned components to this project: 1) Replacement of VF300 Vehicle Fence, 2) Replacement of “legacy” Pedestrian Fence, and 3) Construction of new Pedestrian Fence. This assumes [REDACTED] (b) (5)

[REDACTED] Each of the three components faces different levels of real estate acquisition effort and risk as follows:

### 1) Replacement of VF300 Vehicle Fence:

- a. Fence Swath: All the real estate for the “fence swath” is already owned or controlled by the U.S. Government. All the vehicle fence is located in the western states of California, Arizona and New Mexico, where the “Roosevelt Reservation,” established under Executive Order in 1907, legally allows for the Federal Government’s dedicated use within a 60-foot swath along the southwest border with Mexico. While the vast majority of the vehicle fence was built within the Roosevelt Reservation, some small sections had to be built north of that swath due to existing terrain restrictions such as hills and washes. In those areas where fence was constructed outside the Roosevelt Reservation on privately owned property, the government acquired a “fee” interest from the landowners. For lands held in custody by other government agencies such as BLM, BOR, NPS, USFS and USFWS – special use permits were obtained. For lands owned by federally recognized tribal nations, resolutions and rights of way were obtained in accordance with Bureau of Indian Affairs regulations. [REDACTED] (b) (5)

### b. Access Roads:

- i. Private Access Roads: Perpetual road easements were acquired for all privately owned access roads to the vehicle fence.
- ii. Federal Access Roads: For VF300 access roads over other government agency lands were cleared by virtue of the S1 Waiver, which waived federal land management laws in addition to Environmental laws. For earlier VF access roads, special use permits were obtained, with one exception: CBP was able to obtain temporary rights of use of access roads over the Barry M. Goldwater bombing Range (BMGR), but after over 8 years of trying, CBP has not yet successfully secured the necessary permitted rights to maintain and repair the access roads across the BMGR. The real estate granting authority is the U.S. Navy, but the permission was never granted by the U.S. Marine Corps Base Commanders. The permitting effort continues even now.

iii. Tribal Access Roads: For roads over the Tohono O’odham Nation in Arizona, CBP obtained the necessary “temporary” rights to use the roads to construct the fence, but CBP is still working to obtain long term rights to maintain the roads leading to the VF. Currently, each time CBP seeks to maintain the VF itself, CBP needs to notify the TON. For fence replacement, new rights will need to be sought in order to use the roads.

c. Staging Areas: To the extent temporary construction staging areas are required to store materials and equipment outside the 60-foot Roosevelt Reservation, acquisition of temporary easements will be required – unless the contracting officer allows for the awardee contractors to seek their own staging areas via leases or other agreements with landowners in the area.

2) Replacement of “legacy” Pedestrian Fence: The challenges associated with vehicle fence replacement discussed above are virtually identical to that of replacement legacy pedestrian fence. The only nuanced difference is that with legacy fence, most of which was built in the mid 1990’s when Border Patrol was under the Department of Justice, we have discovered two unique issues. In some cases, fence was constructed so close to the international border, that it is necessary to coordinate with IBWC because work must be performed in Mexico to remove the old fence. Additionally, there were various areas of the southwest border that were not covered by the Roosevelt Reservation, simply because the land was already privately owned at the time of the 1907 Executive Order, which only applied to lands held in the public domain. (b) (5)

[REDACTED]

3) Construction of new Pedestrian Fence: For any newly constructed fence, land acquisition will be required for all three required portions of the project: a) the fence swath, b) access roads and c) temporary construction staging areas. (b) (5)

[REDACTED]

(b) (5) In this area of Texas, landownership is not well-documented, at least not sufficiently for the Government to legally take title to the land. (b) (5)

[REDACTED]

The majority of the IBWC-approved

fence swath is north of the river and north of the originally identified fence swath, which introduces the requirement for (b) (7)(E) (b) (5)

(b) (5)

(b) (5)

All of these challenges are manageable, but there is considerable cost and schedule risk. (b) (5)

(b) (5)

Finally, in the Western States (CA, AZ, NM) the 60-foot Roosevelt Reservation does not apply across the entire border. There are gaps along the border that were not affected by the 1907 Executive Order, because they were already privately owned, whereas the EO only could apply to lands then still within the public domain. Therefore, there may be areas where we need to acquire fence swath property out west. (b) (5)

All real estate support services will be coordinated by the BPAM PMO or by USACE. USACE will conduct all real estate related due diligence and acquisition activities necessary for the execution of the new border fencing program.

**From:** (b) (6)  
**To:** (b) (6)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** FW: Tohono O'odham  
**Date:** Friday, January 27, 2017 1:47:36 PM

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The Guardian is not my cup of tea, but I got this from (b) (6)

-----Original Message-----

**From:** (b) (6) (US)  
**Sent:** Friday, January 27, 2017 9:51 AM  
**To:** (b) (6)  
**Subject:** Tohono O'odham

<https://www.theguardian.com/us-news/2017/jan/26/donald-trump-border-wall-tohono-oodham-arizona-tribe>

(b) (6)  
Deputy Chief of Real Estate  
Chief, DoD Branch (CESPK-RE)  
Sacramento District, U.S. Army Corps of Engineers  
Office (b) (6)  
Cell (b) (6)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE Questions  
**Attachments:** (b) (5)  
NON-RESPONSIVE

---

Hi (b) (6), (b) (7)(C) -

Please let us know if you have time to discuss the attached RE inquires.

<<Master Script as of 042617.docx>> <<FW: ProPublica inquiry check in>>

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting  
**Date:** Tuesday, May 30, 2017 3:39:10 PM

---

Q1. Regular Fed land trumps Roosevelt Reservation. In other words, if there is fed land and RR, we counted it as fed land.

Q2. It's tribal land, not federal land.

These numbers are based on the alignment of the border and our best available data for federal lands (which includes tribal boundaries). If the boundary data we have for fed lands didn't extend far enough to the border, the border segment would be classified as non-federal owned.

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office  
Mobile: (b) (6), (b) (7)(C)  
Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 2:20 PM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Our emails crossed (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) can you address please?

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 3:18 PM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Hi (b) (6), (b) (7)(C) I have two questions re your answer:

1.

2.

a.

v/r  
(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 2:53 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Simplified answer:

(b) (5)

(b) (6), (b) (7)(C)  
Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office

Mobile: (b) (6), (b) (7)(C)

Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:09 AM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** Answer #3 RE: Domestic Policy Council Meeting

(b) (6), (b) (7)(C) I think we are still on the hook to tackle our #3, which is their #11 from the larger list of questions – see attached.

My advice is to say something like the following:

(b) (5)

v/r

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:40 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

So no need to respond to 3#?

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office  
Mobile (b) (6), (b) (7)(C)  
Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 9:39 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Great, thank you.

Will send this response up.

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:22 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

(b) (5)

(b) (5)

Thanks,

(b) (6), (b) (7)(C)

1.

(b) (5)

2..

(b) (5)

(b) (5)

(b) (5)

3. (b) (5)

4.

(b) (5)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 8:55 AM

**To:** (b) (6), (b) (7)(C)

[Redacted]

**Cc:** (b) (6), (b) (7)(C)

[Redacted]

**Subject:** RE: Domestic Policy Council Meeting

I said for #4, I meant #2.

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 8:48:50 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

(b) (6), (b) (7)(C) for #4, we have that 2-page white paper I prepared, since they're asking for something nlt today, do you want that or something like it? I mean they're asking an extremely broad multi-layered question including - what's the process, how long does it take, why does it take so long, etc.

(b) (5)

(b) (5)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, May 29, 2017 8:04:49 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** FW: Domestic Policy Council Meeting

Hi all –

Looks like we need to get these answered asap (sorry, I hate that too) – hoping this isn't a big lift.  
Can we target 10 am Tuesday?

(b) (6), (b) (7)(C) can you take #1? The answer is no – no issues and we can highlight our past meeting and upcoming one as well.

(b) (6), (b) (7)(C) can you take #2 and #4? I know these answers can be lengthy, but let's try to keep it as straightforward as possible.

BusOps can take #3 – I think we have that answer already. (b) (6), (b) (7)(C) – can you confirm)?

1. (b) (5)

2.. (b) (5)

(b) (5)

3. (b) (5)

4. (b) (5)

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 1:10 PM

**To:** (b) (6), (b) (7)(C)

(b)(6);(b)(7)(C)

MILDREW,

SEAN (b)(6);(b)(7)(C)

**Cc:** (b) (6), (b) (7)(C)

KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

(b) (5)

(b) (6), (b) (7)(C)

Associate Chief Counsel - Trade and Finance  
Office of the Chief Counsel  
U.S. Customs and Border Protection  
(b) (6), (b) (7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

~~This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.~~

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 12:31 PM

**To:** (b)(6);(b)(7)(C)

MILDREW,

SEAN (b)(6);(b)(7)(C) >

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Karl – we will need to loop in OCC for confirmation, (b) (5)

(b) (6), (b) (7)(C)

Executive Director, Budget Directorate  
U.S. Customs and Border Protection  
Department of Homeland Security

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 11:22 AM

**To:** CALVO, KARL H. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) MILDREW,  
SEAN (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Karl, thanks for this. (b) (5)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Deputy Assistant Commissioner, Acquisition  
Head of the Contracting Activity

Location: (b) (6), (b) (7)(C)

Desk: (b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)

Main: (b) (6), (b) (7)(C)

---

**From:** CALVO, KARL H.

**Sent:** Friday, May 26, 2017 11:17 AM



To: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
MILDREW, SEAN (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
Cc: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

**Importance:** High

All: Rather than trying to coordinate a call with multiple parties on a Friday before the holiday weekend, I'm attempting to explain what is needed via email. Below I've highlighted those questions from the Domestic Policy Council (DPC) that we need to pull together input from your offices. The highlighted sections are assigned to various offices (either USBP, OCC, Procurement or OFAM). Just to note, the DPC is a high ranking council (similar to NSC but on domestic issues) and has direct input to POTUS. Your help w/ these questions is highly important to ensure we get the answers correctly articulated.

**I need your input by COB Tuesday, May 30<sup>th</sup>. OFAM will compile and send to EAC Kolbe before noon on Wednesday, May 31<sup>st</sup>.**

I'd like to offer some clarity from my perspective from the meeting that might help with answers:

1.

2.

3.

(b) (5)

4.

5.

6.

7.

8.

9.

10

11

12

(b) (5)

Please call or email me if you have questions. Thanks.

v/r Karl

*Karl H. Calvo, CFM, PMP*

Assistant Commissioner, Office of Facilities and Asset Management  
U.S. Customs and Border Protection  
Washington, DC

(b) (6), (b) (7)(C) (Office)  
cell)

---

**From:** KOLBE, KATHRYN

**Sent:** Friday, May 26, 2017 5:31 AM

**To:** CALVO, KARL H. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

Karl, Would you please coordinate clarification to the questions from yesterday that require follow-up (see asterisks) and provide to my front office for review, as soon as possible. Please help (b) (6), (b) (7)(C) understand the context of question 3. Did you get (b) (6), (b) (7)(C) contact information? Would appreciate your clarification on the highway discussion for internal use only.

(b) (6), (b) (7)(C) Appreciate your assistance with answering question 3 for the White House staff. Karl can provide clarification.

Thank you...VR, KK

Kathryn L. Kolbe  
Executive Assistant Commissioner  
Enterprise Services  
U.S. Customs and Border Protection  
Office (b) (6), (b) (7)(C)  
Cell (b) (6), (b) (7)(C)

---

**From:** VITIELLO, RONALD D (USBP)

**Sent:** Friday, May 26, 2017 5:21 AM

**To:** KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meetings

thanks

Ronald Donato Vitiello  
Acting Deputy Commissioner  
Customs and Border Protection  
(b) (6), (b) (7)(C)



---

**From:** KOLBE, KATHRYN

**Sent:** Thursday, May 25, 2017 9:51 PM

**To:** MCALEENAN, KEVIN K (b) (6), (b) (7)(C) VITIELLO, RONALD D (USBP)  
(b) (6), (b) (7)(C)  
**Cc:** FLANAGAN, PATRICK S (b) (6), (b) (7)(C) CALVO, KARL H.  
(b) (6), (b) (7)(C) PROVOST, CARLA (USBP) <(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)>  
(b) (6), (b) (7)(C)  
<(b) (6), (b) (7)(C)>  
**Subject:** Domestic Policy Council Meetings

Commissioner/Deputy,

The meeting with the DPC today went well. Chief (b) (6), (b) (7)(C) Chief (b) (6), (b) (7)(C) AC Calvo & I attended. We briefed Andrew Bremberg, Assistant to the President for Domestic Policy; Paul Winfree, Deputy Assistant to the President, Director of Budget Policy; Gene Hamilton, Senior Counselor to the Secretary, DHS; and several others with immigration-related responsibilities.

Some key takeaways: (b) (5)

(b) (5)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

VR, KK

Kathryn L. Kolbe

Executive Assistant Commissioner  
Enterprise Services  
U.S. Customs and Border Protection  
Office (b) (6), (b) (7)(C)  
Cell (b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: 4/26/17 call with the Tohono O'odham Nation  
**Date:** Thursday, April 27, 2017 2:44:40 PM

---

(b) (6), (b) (7)(C)

Thank you. (b) (5)

Keep at it. (b) (5)

Regards,

(b) (6), (b) (7)(C) CBM, PMP  
Director-Real Estate, Environmental and Leasing Services (REEL)  
Border Patrol Air & Marine Program Management Office (BPAM PMO)  
DHS-CBP-ES-FM&E  
(b) (6), (b) (7)(C) (cell)



---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, April 27, 2017 11:08 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** FW: 4/26/17 call with the Tohono O'odham Nation

(b) (6), (b) (7)(C) & All, FYSA:

As discussed, we held a teleconference with the TON yesterday to discuss the IFT Project Real Estate – i.e. the Right of Way that's required.

(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)

From here, follow-on negotiations over terms and conditions of the Right of Way will continue.

More to follow...

v/r

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Thursday, April 27, 2017 10:56 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: 4/26/17 call with the Tohono O'odham Nation

Got it. Thanks (b) (6), (b) (7)(C)

(b) (5)

(b) (5)



(b) (5)

From: (b) (6), (b) (7)(C)  
To: (b) (6), (b) (7)(C)  
Cc: (b) (6), (b) (7)(C)  
Subject: [FOUO] (b) (6), (b) (7)(C) S MEETING NOTES: 5/16 Follow-on Meeting for Tohono O'odham Nation Real Estate Status  
Date: Tuesday, May 16, 2017 2:19:20 PM

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NOTES FROM THIS AFTERNOON'S MEETING, HELD VIA TELECONFERENCE AND AT CBP HQ. The meeting convened, after check-ins on the phone, at 1406 EDT: *Rough list of participants* – (b) (6), (b) (7)(C)

(1) Legislative Council elections (50% of Council) scheduled for May 27.

(2) (b) (6), (b) (7)(C) (Counsel) – (b) (5)

(3) (b) (5)

(4) The Nation's Liaison staff said that their contacts, also, in the Nation have gone silent since last week.

(5) (b) (5)

(6) (b) (5)  
(7) (b) (6), (b) (7)(C) reiterated that the Roosevelt Easement is only in effect in the extreme western portion of the Nation, according to the Nation.

(b) (5)

The call/meeting concluded at 1417 EDT.

Thanks ,

(b) (6), (b) (7)(C) (Deployment Project Manager)  
Integrated Fixed Towers Program  
DHS/CBP/USBP/PMO D (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
Office Ph: (b) (6), (b) (7)(C)  
CBP Mobile: (b) (6), (b) (7)(C)  
E-mail: (b) (6), (b) (7)(C)

~~THE INFORMATION IN THIS E MAIL IS FOR OFFICIAL USE ONLY.~~

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, April 11, 2017 3:03 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** [FOUO] (b) (6), (b) (7)(C) MEETING NOTES: 4/11 Follow-on Meeting at RRB

~~THE INFORMATION IN THIS E-MAIL IS FOR OFFICIAL USE ONLY.~~

NOTES FROM THIS AFTERNOON'S MEETING AT CBP HQ. The meeting convened, after check-ins on the phone, at 1432 EDT:

(1) There were no Tucson Sector new meetings with the T.O. this week. The T.O. are sending representatives from the Legislative Council Domestic Affairs Committee (resident of Chukut Kuk District), Vice Chair of Domestic Affairs Committee (resident of the Gu Vo District), legal counsel for the Legislative Council and the T.O. Attorney General are on Capitol Hill this week to meet with C2 this week on the topic of WALL.

(b) (5)

(3) Tucson Sector Acting Liaison to the T.O. stated that there's not been any word out of the T.O. regarding comments to the recent submission of draft language for Rights Of Way Grant. The Liaison also stated that the T.O. Legislative Council is not in session this week due to the Easter Holy Week. They had their formal April session April 3-7. Committee meetings for the T.O. Legislative Council re-start next Tuesday, April 18. Tucson Sector Liaison also counseled against having C2 raise condemnation.

(b) (5)

(7) Tucson Sector Liaison also stated that the T.O. representatives are appearing in the U.S. Senate (*not* House Homeland Security) before the Committee that North Dakota Senator Heitkamp (maybe the Senate Committee on Homeland Security and Governmental Affairs).

The meeting concluded at 1502.

Thanks,

(b) (6), (b) (7)(C) (Deployment Project Manager)  
Integrated Fixed Towers Program  
DHS/CBP/USBP/PMO D

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
Office Ph: (b) (6), (b) (7)(C)  
CBP Mobile:  
E-mail: (b) (6), (b) (7)(C)

---

From: (b) (6), (b) (7)(C)

Sent: Friday, March 31, 2017 2:38 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

Subject: [FOUO (b) (6), (b) (7)(C)] MEETING NOTES: 3/31 Follow-on Meeting at RRB

~~THE INFORMATION IN THIS E-MAIL IS FOR OFFICIAL USE ONLY.~~

NOTES FROM THIS AFTERNOON'S MEETING AT CBP HQ. The meeting convened, after check-ins on the phone, at 1402 EDT:

(1) There were no Tucson Sector new meetings with the T.O. this week.  
(2) DOJ took CBP talking points to a visit to the T.O. this week. No information back from DOJ, yet. (b) (5)

(3) (b) (6), (b) (7)(C) updated environmental. CBP FONSI signed March 28. EA and CBP FONSI is in print production. First ten hardcopies will be printed by Wednesday, April 5...and they should ship same day and arrive at Tucson Sector on April 7 or April 10. Tucson Sector can deliver the first ten copies to the T.O. on April 10 or April 21. The remaining 40+ copies will print and ship a few days later, and those aren't essential to a hypothetical Special Session of T.O.L.C.

(4) Legislative Council, Legislative Affairs, and Legislative Council will receive the first ten printed EA copies.

(5) (b) (6), (b) (7)(C) (BMPs) asked for a CD-ROM copy of the EA. (b) (6), (b) (7)(C) will bring the CD-ROM to HQ next week (b) (6), (b) (7)(C) e-mailed the BMPs to them during the meeting this afternoon).

(6) (b) (6), (b) (7)(C) drafted R.O.W. language in the middle of this week, routed it to USBP Sector, HQ and IFT Program (b) (6), (b) (7)(C) talked about the language proposed by CBP (b) (5)

(7) (b) (6), (b) (7)(C) said the T.O. will receive our draft R.O.W. grant language (next week)...then the final grant language will be negotiated...then the Draft Resolution language will be based on the R.O.W. grant language (b) (6), (b) (7)(C) expressed that we can weigh in on the draft Resolution language and ask for changes, but that T.O. need not accept CBP changes requests. (b) (6), (b) (7)(C)

(b) (5)

(9) (b) (6), (b) (7)(C) suggested that Real Estate get the draft R.O.W. grant language to T.O. Counsel quickly and begin discussions and negotiations.

(10) (b) (6), (b) (7)(C) brought up the new Overarching Memorandum of Understanding that the Nation also wants. (b) (6), (b) (7)(C) expressed that this MOA is happening, in part, because of a new, February 2016 regulation that authorizes tribes to have a "separate agreement" in parallel with Rights Of Way. The overarching MOA/Separate Agreement are both required before a Resolution can be voted on/approved. CBP must, therefore, execute both a R.O.W. and MOA (be bound) before a Resolution can be approved.

(11) (b) (6), (b) (7)(C) re-capped that CBP Draft R.O.W. grant language will go to T.O. next week...and the EA hardcopies will be in T.O. by April 11.

(12) Another of these meetings will be held next week (b) (6), (b) (7)(C) will be on travel next week but will dial in.

Meeting ended at 1435 EDT.

Thanks,

(b) (6), (b) (7)(C)  
Project Manager, IFT Prgrm  
DHS/CBP/HQ US Border Patrol  
CBP Mobile Ph: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

\*\*\*\*This e-mails was typed on a Govt Smartphone....PLEASE excuse any Autospell Nonsense\*\*\*\*

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From: (b) (6), (b) (7)(C)  
Sent: Friday, March 24, 2017 3:06:14 PM  
To: (b) (6), (b) (7)(C)  
Cc: (b) (6), (b) (7)(C)  
Subject: (b) (6), (b) (7)(C) MEETING NOTES: 3/24 Follow-on Meeting at RRB

NOTES FROM THIS AFTERNOON'S MEETING AT CBP HQ. The meeting convened, after check-ins on the phone, at 1404:

(1) Update from Tucson Sector, who met with T.O. Chairman Thursday, March 23. Chief (b)(6);(b)(7)(C) Ed Manuel (Chairmain), Liaisons, Verdon Jose (Deputy Chairman). Good meeting. Tucson Sector asked questions. Nation has a draft Resolution condemning wall. Chairman supports Chukut Kuk difference, but also supports Gu Vo position. Chairman calls IFT "Virtual Wall." (b) (5)

Chairman and Vice Chairman left the meeting feeling good.

(b) (5)

(2)

(b) (5)

(3) There is a protest at the San Miguel gate tomorrow, Saturday, March 25 by internal and outside entities about Wall.

(4) Chief (b) (6), (b) (7)(C) asked for additional authority to provide additional details (about DHS/CBP procurement plans) to build trust.

(5)

(b) (5)

(b) (5)

(9) The group was updated by (b) (6), (b) (7)(C) on Environmental. (b) (6), (b) (7)(C) discussed EA printed copy dates. (b) (5)

(b) (5)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 5:01:44 PM  
**To:** (b) (6), (b) (7)(C) L  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** MEETING NOTES: Meeting at RRB

Notes from the CBP HQ Meeting this afternoon:

- (1) White House ("DPC") postponed T.O. visit this week due to scheduling conflict, anticipate reschedule into mid-April.
- (2) T.O. Chairman and Legislative Council notified by Tucson Sector.
- (3) Discussed optics in Arizona of the rescheduling by DPC. Some coordination of messaging roles between OBP HQ and Tucson Sector.
- (4) T.O. reaching out to DC (CBP) with the Nation's lobbying arm to understand DPC postponement better.
- (5) Mid-April regular T.O. Legislative Council Session is mid-April.
- (6) Tucson Sector visited T.O. legal and Chairman last Friday, March 17. (b) (5)  
[REDACTED]
- (7) T.O. claimed that Operational Control has been reached on the Nation at Friday's meeting.
- (8) (b) (6), (b) (7)(C) heard nothing new from T.O. at Friday's meeting with Legal regarding Real Estate negotiation "Entrance Criteria."
- (9) T.O. wants CBP to put forth the first round real estate right of way grant language. (b) (5)  
[REDACTED]
- (10) CBP OCC (b) (6), (b) (7)(C) committed to having draft of Right of Way grant language by March 31 (end of next week).

(b) (5)

(b) (5)

(19)(b) (6), (b) (7)(C) discussed EA/ FONSI/ BIA FONSI process steps. Chief (b) (6), (b) (7)(C) is anxious to put his signature on the FONSI.

(b) (5)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 12:52:22 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Meeting at RRB

10-4 Sir. I will be on the call.

Thanks,  
(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 9:51:50 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Meeting at RRB

(b) (6), (b) (7)(C) the meeting has slipped two hours, to a new start time of 1300 Arizona Time (1600 EDT).

Thanks ,

(b) (6), (b) (7)(C) (Deployment Project Manager)  
Integrated Fixed Towers Program  
DHS/CBP/USBP/PMO D (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
Office Ph: (b) (6), (b) (7)(C)  
CBP Mobile: (b) (6), (b) (7)(C)  
E-mail: (b) (6), (b) (7)(C)



---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 11:57 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

USBP HQ has asked that I be present in the conference room this afternoon (late morning your time) for the IFT Project on the T.O. Land conference call. I'll be physically in the room, as will also be (b) (6), (b) (7)(C)

Thanks ,

(b) (6), (b) (7)(C) (Deployment Project Manager)

Fixed Towers Program

DHS/CBP/USBP/PMO D

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Office Ph:

(b) (6), (b) (7)(C)

CBP Mobi

E-mail: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 11:32 AM

**To:** (b) (6), (b) (7)(C)

**Subject:** Meeting at RRB

(b) (6), (b) (7)(C)

I spoke with (b) (6), (b) (7)(C) and he agreed that you should be present there at the meeting.

V/r, (b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Task Request: Talking Points for AFCEC and NAVFAC Cold Calls  
**Date:** Wednesday, February 08, 2017 10:04:31 AM  
**Attachments:** [RE Legal Issues.msg](#)  
[Real Estate Summary from PMP 2-8-17.docx](#)

---

This seems to be a very common request these days...i.e. what are the legal real estate issues that the fence project will face

I'm attaching bullets/talking points that I prepared recently for (b) (6), (b) (7)(C) ... (b) (6), (b) (7)(C) already had these.

(b) (5)

Also – I'm attaching the RE Section from the DRAFT Fence PMP, which is obviously more in-depth.

v/r

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, February 08, 2017 8:54 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** FW: Task Request: Talking Points for AFCEC and NAVFAC Cold Calls

(b) (6), (b) (7)(C)

I think you developed a RE 101 brief for OCC a few months ago. I think that content summarized is appropriate. Let me know if you need help. I can summarize your bullets if needed.

Thanks,

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Wednesday, February 08, 2017 8:48 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** FW: Task Request: Talking Points for AFCEC and NAVFAC Cold Calls

Good morning – We need your assistance please.

See below – (b) (6), (b) (7)(C) is looking for some talking points for when he talks to potential vendors who might support required real estate actions in respect to fence construction. Can you please send over a few bullets that will help (b) (6), (b) (7)(C) (or whoever) ask informed questions.

No due date, but a quick turn would be greatly appreciated.

(b) (6), (b) (7)(C)

Branch Chief, Communications and Workforce Strategy  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, February 07, 2017 9:54 AM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** Task Request: Talking Points for AFCEC and NAVFAC Cold Calls

We've been instructed to cold call AFCEC and NAVFAC to see if they have horizontal construction capabilities that might support fence construction in either the short or long term. (b) (5)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Chief of Staff  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

## Real Estate Strategy

Currently there are three planned components to this project: 1) Replacement of VF300 Vehicle Fence, 2) Replacement of “legacy” Pedestrian Fence, and 3) Construction of new Pedestrian Fence. This assumes [REDACTED] (b) (5)

[REDACTED] Each of the three components faces different levels of real estate acquisition effort and risk as follows:

### 1) Replacement of VF300 Vehicle Fence:

- a. Fence Swath: All the real estate for the “fence swath” is already owned or controlled by the U.S. Government. All the vehicle fence is located in the western states of California, Arizona and New Mexico, where the “Roosevelt Reservation,” established under Executive Order in 1907, legally allows for the Federal Government’s dedicated use within a 60-foot swath along the southwest border with Mexico. While the vast majority of the vehicle fence was built within the Roosevelt Reservation, some small sections had to be built north of that swath due to existing terrain restrictions such as hills and washes. In those areas where fence was constructed outside the Roosevelt Reservation on privately owned property, the government acquired a “fee” interest from the landowners. For lands held in custody by other government agencies such as BLM, BOR, NPS, USFS and USFWS – special use permits were obtained. For lands owned by federally recognized tribal nations, resolutions and rights of way were obtained in accordance with Bureau of Indian Affairs regulations. [REDACTED] (b) (5)

### b. Access Roads:

- i. Private Access Roads: Perpetual road easements were acquired for all privately owned access roads to the vehicle fence.
- ii. Federal Access Roads: For VF300 access roads over other government agency lands were cleared by virtue of the S1 Waiver, which waived federal land management laws in addition to Environmental laws. For earlier VF access roads, special use permits were obtained, with one exception: CBP was able to obtain temporary rights of use of access roads over the Barry M. Goldwater bombing Range (BMGR), but after over 8 years of trying, CBP has not yet successfully secured the necessary permitted rights to maintain and repair the access roads across the BMGR. The real estate granting authority is the U.S. Navy, but the permission was never granted by the U.S. Marine Corps Base Commanders. The permitting effort continues even now.

iii. Tribal Access Roads: For roads over the Tohono O’odham Nation in Arizona, CBP obtained the necessary “temporary” rights to use the roads to construct the fence, but CBP is still working to obtain long term rights to maintain the roads leading to the VF. Currently, each time CBP seeks to maintain the VF itself, CBP needs to notify the TON. For fence replacement, new rights will need to be sought in order to use the roads.

c. Staging Areas: To the extent temporary construction staging areas are required to store materials and equipment outside the 60-foot Roosevelt Reservation, acquisition of temporary easements will be required – unless the contracting officer allows for the awardee contractors to seek their own staging areas via leases or other agreements with landowners in the area.

2) Replacement of “legacy” Pedestrian Fence: The challenges associated with vehicle fence replacement discussed above are virtually identical to that of replacement legacy pedestrian fence. The only nuanced difference is that with legacy fence, most of which was built in the mid 1990’s when Border Patrol was under the Department of Justice, we have discovered two unique issues. In some cases, fence was constructed so close to the international border, that it is necessary to coordinate with IBWC because work must be performed in Mexico to remove the old fence. Additionally, there were various areas of the southwest border that were not covered by the Roosevelt Reservation, simply because the land was already privately owned at the time of the 1907 Executive Order, which only applied to lands held in the public domain. (b) (5)

[REDACTED]

3) Construction of new Pedestrian Fence: For any newly constructed fence, land acquisition will be required for all three required portions of the project: a) the fence swath, b) access roads and c) temporary construction staging areas. (b) (5)

[REDACTED], (b) (5)

In this area of Texas, landownership is not well-documented, at least not sufficiently for the Government to legally take title to the land. (b) (5)

[REDACTED]

The majority of the IBWC-approved

fence swath is north of the river and north of the originally identified fence swath, which introduces the requirement for (b) (7)(E) (b) (5)

(b) (5)  
(b) (5)  
(b) (5)  
(b) (5). All of these challenges are manageable, but there is considerable cost and schedule risk. (b) (5)

(b) (5)  
(b) (5)  
(b) (5).

(b) (5)  
(b) (5)  
(b) (5)  
(b) (5)

Finally, in the Western States (CA, AZ, NM) the 60-foot Roosevelt Reservation does not apply across the entire border. There are gaps along the border that were not affected by the 1907 Executive Order, because they were already privately owned, whereas the EO only could apply to lands then still within the public domain. Therefore, there may be areas where we need to acquire fence swath property out west. (b) (5)

(b) (5)  
(b) (5)

All real estate support services will be coordinated by the BPAM PMO or by USACE. USACE will conduct all real estate related due diligence and acquisition activities necessary for the execution of the new border fencing program.

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: Legal Issues  
**Date:** Friday, February 03, 2017 10:07:33 AM

---

Ha! I just saw (b) (6), (b) (7)(C) send this forward and was wondering who wrote it.....knew it wasn't him! ;-)

(b) (6), (b) (7)(C)

Branch Chief, Communications and Workforce Strategy  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Friday, February 03, 2017 10:05 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** FW: Legal Issues

FYSA

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Friday, February 3, 2017 9:33 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** [EXTERNAL] RE: Legal Issues

(b) (6), (b) (7)(C) as requested, below are bullets regarding RE Issues, followed by a more detailed explanation (i.e. Background Information) on each issue:

## **BULLETS:**

### **RGV:**

1. **TITLE ISSUES:** Inadequately maintained public land records compelled condemnation actions for all acquisitions in order to clear title/ownership, with only a handful of exceptions. We remain in court with over 90 owners for cases filed in 2008, still working to resolve these complex title issues.
2. **TREATY WITH MEXICO:** The 1970 Boundary Treaty between the U.S. and Mexico governing construction in the floodplain caused unavoidable significant delays to determining an amenable alignment, and thus delays to completing required condemnation actions.
3. **RELOCATIONS:** For as-yet unconstructed Segments (b) (7)(E), we currently estimate there will be approximately 35 residential and commercial relocations; primarily to the northward shift of the IBWC-approved alignment instituted to avoid violation of the 1970 Boundary Treaty with Mexico.
4. **SEVERING PROPERTY:** Due to the fact that fence in RGV must be constructed north of floodplain, thousands of acres of privately owned land was left between the fence and river.

Ongoing condemnation litigation continues in large part because of disputes over the amount to which the fence diminished the value of what we refer to as the “riverside remainder.”

5. (b) (7)(E)

6. (b) (5)

**WEST OF RGV:**

1. **TOHONO O’ODHAM NATION (TON):** (b) (5)  
[REDACTED]  
[REDACTED]  
[REDACTED]

**BACKGROUND INFORMATION:**

**RGV:**

7. **TITLE ISSUES:** Any land acquired by the U.S. Government must meet the standards outlined Counties in the Uniform Appraisal Standards for Federal Land Acquisition, also known as the Yellow Book. These standards are promulgated and enforced by the Department of Justice (DOJ). With only a few exceptions, all properties that were required to support PF225 fence construction in RGV failed to meet those standards, and required condemnation litigation to resolve ownership. The primary cause of this issue is the substandard quality of the property records at the County level – RGV includes Starr County (b) (7)(E) Hidalgo County (b) (7)(E) and Cameron County (b) (7)(E) We remain in litigation with over 90 owners from cases that were originally filed in 2008, primarily due to the complexities of resolving land ownership of the property the government condemned.
  - a. **NOTE:** Beyond RGV, this title issue will arise in other Texas counties for any future fence constructed, particularly in the Del Rio and Laredo areas.
8. **TREATY WITH MEXICO:** The 1970 Boundary Treaty between the U.S. and Mexico governs that any new construction within the flood plain along the international border by either nation’s government must be approved by the other nation. The purpose for such an agreement to address the impact of the flooding of the river, a disproportionate amount of water could be diverted to the other side. (b) (5)  
[REDACTED]  
[REDACTED]  
[REDACTED]



(b) (5)

[REDACTED]

9. **RELOCATIONS:** For Segments (b) (7)(E) we currently estimate (b) (5)

[REDACTED]

10. **SEVERING PROPERTY:** (b) (5)

[REDACTED]

(b) (7) (E)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

**WEST OF RGV:** Beyond some challenging individual landowners, PF225 & VF300 did not encounter widespread real estate issues west of RGV. This is because the fence was generally constructed in the 60' Roosevelt Reservation, an area reserved by a 1907 Executive Order for the use of the federal government. This reservation of rights did not apply to Texas, because it is a river border, and because most of the property in Texas was already privately owned, versus in the western states where most of the land along the border still had not generally been patented for private use.

2. **TOHONO O'ODHAM NATION (TON):** (b) (5)

[REDACTED]

(b) (5)

(b) (5)

(b) (5)

v/r

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, February 03, 2017 7:53 AM

**To:** (b) (6), (b) (7)(C)

**Subject:** FW: Legal Issues

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, February 03, 2017 6:19 AM

**To:** (b) (6), (b) (7)(C)

**Subject:** Legal Issues

(b) (6), (b) (7)(C)

For clarification, Deputy Provost is requesting the following for her S1 brief on Monday (due this morning):

Legal Issues

What are the pitfalls of the last fence installation (Secure Fence Act)?

She is requesting some high level bullets.

Thank you for your help,

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Subject:** Re: [EXTERNAL] FW: CBS News/ March 15, 2017, 5:03 PM -RGV real estate issue  
**Date:** Thursday, March 16, 2017 8:38:22 AM

---

We can and it's already on the agenda (not specific but under one of the last categories). This is the same issue that popped up in early Feb. (b) (6), (b) (7)(C) working with the Southern District AUSA, laid out the facts - the letter relates to an existing case, nothing new.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, March 16, 2017 7:26 AM  
**To:** (b) (6)  
**Subject:** [EXTERNAL] FW: CBS News/ March 15, 2017, 5:03 PM -RGV real estate issue

---

(b) (6), (b) (7)(C) Can we discuss who would be best to contact at DOJ regarding these letters associated with old fence condemnation?

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, March 16, 2017 5:23 AM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** CBS News/ March 15, 2017, 5:03 PM -RGV real estate issue

Even before President Trump was inaugurated, U.S. citizens who own land along the border reportedly began receiving letters from the Justice Department informing them that the federal government wants their land to build a fence (i.e. the president's border wall), that it intends to acquire their land and the amount of compensation the government is offering.

Yvette Salinas, a Texan whose ailing mother owns a small parcel of land with her siblings near the Rio Grande was informed by the "Declaration of Taking" letter sent by DOJ that her 1.2 acres was worth \$2,900, according to a [story in the Texas Observer](#). She told the Observer that the family's 16 acres has been in her family for five generations. The government's letter asks recipients to sign in order to receive compensation, acknowledge that they "do not have an interest" in the case or do not intend to make a claim. It doesn't really say what landowners should do if, like Salinas, they don't want to sell their land.

Salinas called the letter "scary" and said "you feel you have to sign." Her family is consulting a lawyer about its next steps. If other border landowners have the same reluctance to sell as Salinas, the government may have a long battle ahead to secure all the land necessary for the wall, given that the federal government doesn't own most of it. The nearly 2,000-mile southern border is composed of federal, state, tribal and private lands. There are 632 miles of federal or tribal land -- 33 percent -- and the other 67 percent, most of which is in Texas, is private or state-owned, according to the [Government Accountability Office](#) (GAO). The Washington Post points out that the president would need Congress to pass a bill to acquire the tribal lands for his wall.

(b) (6), (b) (7)(C)

Director, BPAM PMO

(b) (6), (b) (7)(C) (desk)

(b) (6), (b) (7)(C) (mobile)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: CBS News/ March 15, 2017, 5:03 PM -RGV real estate issue  
**Date:** Thursday, March 16, 2017 3:31:26 PM

---

Will do!

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, March 16, 2017 9:26:46 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** FW: CBS News/ March 15, 2017, 5:03 PM -RGV real estate issue

(b) (6), (b) (7)(C) Per our conversation this morning, (b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Thank you

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, March 16, 2017 6:15 AM  
**To:** (b) (6), (b) (7)(C)  
[Redacted]  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** FW: CBS News/ March 15, 2017, 5:03 PM -RGV real estate issue

(b) (6), (b) (7)(C) (b) (5)  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, March 16, 2017 5:23 AM  
**To:** (b) (6), (b) (7)(C)  
[Redacted]  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** CBS News/ March 15, 2017, 5:03 PM -RGV real estate issue

Even before President Trump was inaugurated, U.S. citizens who own land along the border reportedly began receiving letters from the Justice Department informing them that the federal government wants their land to build a fence (i.e. the president's border wall), that it intends to acquire their land and the amount of compensation the government is offering.

Yvette Salinas, a Texan whose ailing mother owns a small parcel of land with her siblings

near the Rio Grande was informed by the “Declaration of Taking” letter sent by DOJ that her 1.2 acres was worth \$2,900, according to a [story in the Texas Observer](#). She told the Observer that the family’s 16 acres has been in her family for five generations. The government’s letter asks recipients to sign in order to receive compensation, acknowledge that they “do not have an interest” in the case or do not intend to make a claim. It doesn’t really say what landowners should do if, like Salinas, they don’t want to sell their land.

Salinas called the letter “scary” and said “you feel you have to sign.” Her family is consulting a lawyer about its next steps. If other border landowners have the same reluctance to sell as Salinas, the government may have a long battle ahead to secure all the land necessary for the wall, given that the federal government doesn’t own most of it. The nearly 2,000-mile southern border is composed of federal, state, tribal and private lands. There are 632 miles of federal or tribal land -- 33 percent -- and the other 67 percent, most of which is in Texas, is private or state-owned, according to the [Government Accountability Office](#) (GAO). The Washington Post points out that the president would need Congress to pass a bill to acquire the tribal lands for his wall.

(b) (6), (b) (7)(C)

Director, BPAM PMO

(b) (6), (b) (7)(C) (desk)

(b) (6), (b) (7)(C) (mobile)

**From:** (b) (6), (b) (7)(C)

**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

**Subject:** RE: CIR PMP Tag UP

**Date:** Monday, November 14, 2016 1:10:33 PM

**Attachments:** (b) (5)

---

All

Attached is the current draft of the PMP for the new fence program. (b) (5)

(b) (5)

(b) (5)  
(b) (5)

he document is still a work in progress

Please let me know if you have any questions or

concerns.

Best

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, August 19, 2016 12:50 PM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** RE: CIR PMP Tag UP

All

Attached is our first pass at the Program Management Plan. Please note that the environmental section as well as a couple of other sections need to be revised (b) (5)

(b) (5)

(b) (6), (b) (7)(C).

Program Director

Resource Management Division

**LMI**

(b) (6), (b) (7)(C)

Office: (b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)



*Complex Problems. Practical Solutions.*

[www.lmi.org](http://www.lmi.org)

-----Original Appointment-----

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, August 02, 2016 8:15 AM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** CIR PMP Tag UP

**When:** Friday, August 19, 2016 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Skype Meeting

---

→ [Join Skype Meeting](#)

This is an online meeting for Skype for Business, the professional meetings and communications app formerly known as Lync.

Join by phone

(b) (7)(E) (b) (6) (National)

English (United States)

(National)

English (United States)

[Find a local number](#)

Conference ID: (b) (7)(E)

[Forgot your dial-in PIN?](#) | [Help](#)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: CIR PMP Tag UP  
**Date:** Monday, November 14, 2016 2:38:29 PM  
**Attachments:** (b) (5)

---

(b) (6), (b) (7)(C)

I made one track change edit to the RE Section to add the fact that for VF300, we relied on the S1 Waiver to clear RE for access roads over other Federal Agencies' lands.

I forgot to highlight that fact in the first draft.

v/r

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, November 14, 2016 1:11 PM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** RE: CIR PMP Tag UP

All

Attached is the current draft of the PMP for the new fence program.

(b) (5)

(b) (5)

(b) (5)  
(b) (5)

The document is still a work in progress  
Please let me know if you have any questions or  
concerns.

Best

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, August 19, 2016 12:50 PM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** RE: CIR PMP Tag UP

All

Attached is our first pass at the Program Management Plan. Please note that the environmental section as well as a couple of other sections need to be revised to reflect the fact that a DHS S1 waiver need to be issued to make the project feasible.

(b) (6), (b) (7)(C)

Program Director

Resource Management Division

## LMI

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Office: (b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)

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[www.lmi.org](http://www.lmi.org)

-----Original Appointment-----

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, August 02, 2016 8:15 AM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6)

**Subject:** CIR PMP Tag UP

**When:** Friday, August 19, 2016 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** Skype Meeting

---

→ [Join Skype Meeting](#)

This is an online meeting for Skype for Business, the professional meetings and communications app formerly known as Lync.

Join by phone

(b) (7)(E)

National)

English (United States)

National)

English (United States)

[Find a local number](#)

Conference ID: (b) (7)(E)

[Forgot your dial-in PIN?](#) | [Help](#)

.....

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** Final Draft - Real Estate Support Agreement: Submitted for review & approval by PMO Directors & FM&E Exec. Director.  
**Date:** Tuesday, December 13, 2016 11:32:59 AM  
**Attachments:** (b) (5)  
**Importance:** High

---

**NON-RESPONSIVE**

Good mornin (b) (6), (b) (7)(C) & (b) (6), (b) (7)(C)

The first attachment to this email is our proposed new Real Estate Support Agreement – providing guidance and defining roles and responsibilities between USACE and FM&E as it pertains specifically to real estate actions. As discussed, it is intended to cover all of FM&E including BPAM, MSF and FOF.

It has been reviewed and approved by USACE (b) (6) and all of our RE SME's (b) (6), (b) (7)(C). You'll note that all that is missing is the "Date" and the Signatory for USACE.

The second attachment is a power point intended to serve as Exhibit 'A', and the third attachment is a Word doc intended to serve as Exhibit 'B' to the Support Agreement.

FYI – I CC'd (b) (6), (b) (7)(C) on this email, because while the content is approved by us SME's, I presume her team can help clean up the formatting, tighten up or correct any of the language if they deem it appropriate or to lend clarity, and assist with routing through (b) (6), (b) (7)(C) and the other PMO Directors for MSF & FOF, then up to (b) (6), (b) (7)(C) for signature.

I would only ask that any substantive changes they propose be routed back through me, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). Any grammatical or sentence structuring or formatting changes do not need to be routed for our review.

Finally, I also attached the current MOA that is referenced within the Support Agreement, and I attached the current Support Agreement that this new one is intended to replace. I assume that these backup documents should be included as references as the Support Agreement is routed for review, approval and signature.

If you have any questions, please let me know.

Very Respectfully,

(b) (6), (b) (7)(C) **MBA PMP**  
Real Estate Program Manager  
LMI Government Consulting  
Border Patrol Air and Marine  
Program Management Office  
Facilities Management and Engineering  
U.S. Customs and Border Protection

Blackberry: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

*Excel as a trusted strategic partner enhancing  
Border Patrol's proud legacy.*

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Program Management Plan Real Estate Section  
**Date:** Monday, June 05, 2017 5:31:47 PM  
**Attachments:** (b) (5)  
**Importance:** High

---

Hi (b) (6), (b) (7)(C)

I largely rewrote Section 15 (i.e. the RE Section).  
I'd like for (b) (6), (b) (7)(C) (USACE) to review/edit it before we go final, so here it is...  
When is it due by?

v/r

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, June 05, 2017 1:55 PM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** RE: Program Management Plan Real Estate Section

Hi (b) (6), (b) (7)(C)

Please send over your edits to the real estate section of the PgMp.

Thank you,  
(b) (6), (b) (7)(C)  
Management Analyst  
E3 Federal Solutions  
Border Patrol Air & Marine Program Management Office (BPAM PMO)  
Facilities Management & Engineering (FM&E)  
(b) (6), (b) (7)(C) (W)  
(b) (6), (b) (7)(C) (C)  
(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 11:04 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** Program Management Plan Real Estate Section

Hi (b) (6), (b) (7)(C)

Please take a look at section 15 and provide edits to me by COB Friday.

(b) (5)

(b) (5)

Please let me know if you have any questions.

Thank you!

(b) (6), (b) (7)(C)

Management Analyst

E3 Federal Solutions

Border Patrol Air & Marine Program Management Office (BPAM PMO)

Facilities Management & Engineering (FM&E)

(b) (6), (b) (7)(C) (W)

(b) (6), (b) (7)(C) (C)

(b) (6), (b) (7)(C)



**From:**

(b) (6), (b) (7)(C)

**To:**

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

(b) (6)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:**

RE: BPAM PMO Project Call - Western Corridor - May 18 Call

**Date:**

Wednesday, May 17, 2017 4:50:51 PM

**Attachments:**

[BPAM Project Update Call 05 18 17.xls](#)

All,

Attached is the updated notes template to use for tomorrow's Project Call for the Western Corridor.

Best,

(b) (6), (b) (7)(C)

BPAM-PMO

Office (b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)

-----Original Appointment-----

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, March 21, 2017 10:44 AM

**To:** (b) (6), (b) (7)(C)

[REDACTED]



off-line with the appropriate parties.

Please note, that regardless of your business partner, the same format must be followed in your project update and the appropriate system be updated (FITT, WMS).

### **What/When:**

Eastern Corridor Project Calls: 1<sup>st</sup> Thursday of each month

- 1:00 – 2:00 pm (EST) – USBP/Projects
- 2:00 – 3:00 pm (EST) – AMO/Projects
- 3:00 – 4:00 pm (EST) – TI/Towers/CTIMR Projects

**Western Corridor Project Calls: 3<sup>rd</sup> Thursday of each month**

- **1:00 – 2:00 pm (EST) – USBP/Projects**
- **2:00 – 3:00 pm (EST) – AMO/Projects**
- **3:00 – 4:00 pm (EST) – TI/Towers/CTIMR Projects**

### **Who:**

Employees defined below with active projects or projects with Project Requirements Document (PRD) are required to attend:

- Project/Program Managers/CORs
- Facility Managers
- Analysts
- Participants from the business partners and service providers

Calls will only be held once per month for each corridor and should be a priority. However, if you can't make it, please let your supervisor know and designate a backup to provide your

update.

**How:**

Project updates must follow the below:

- 1. SECTOR BOOK:** *Records should be updated by PM in FITT prior to each Project Update Call.*
- 2. PROJECT OVERVIEW:** *Provide a brief overview and description of the project (derived from Sector Book summary table in FITT.)*
- 3. STATUS AND MILESTONES:** *Provide a quick summary of status (Is the project on schedule?) and issues in terms of phases & upcoming milestones. (derived from the schedule summary & by phase milestone list tables in FITT)*
- 4. CHANGE REQUESTS:** *Detail any open Change Requests (CRs) and specific actions requiring management engagement (derived from the CR table in FITT)*
- 5. REQUEST FOR EQUITABLE ADJUSTMENTS:** *Discuss any potential Request for Equitable Adjustment (REAs) and status of any existing REAs - to include tracking potential monetary risks when REA are rejected or found to have "no merit."*
- 6. BUDGET:** *provide budget status, update/by exception only and refer to information in FITT.*
- 7. OTHER RISKS:** *Highlight any other project risks that have not already been discussed.*
- 8. BOMR COORDINATION:** *If applicable, mention any required coordination with the BOMR Team.*
- 9. FOLLOW UPS:** *If applicable, add any specific follow-ups or actions that require management visibility (should be documented/referenced somewhere in FITT).*
- 10. QUESTIONS/COMMENTS**

BPAM WEST CORRIDOR																	
Section	Program Title	Project Title	PMAC Number	FEDERAL AGENCY	RTT System Status	Executive Agency	USP PM	Executive Agency PM	Project Status	BPAM Project Update: 05/16/17	BPAM Project Update: 04/20/17	BPAM Project Update: 03/16/17	BPAM Project Update: 03/16/17	BPAM Project Update: 01/16/17	BPAM Project Update: 11/17/16	BPAM Project Update: 10/20/16	BPAM Project Update: 10/20/16
WEST CORRIDOR USP FACILITIES																	



Tucson	PFT	PFT Project Road Design and Construction - 40 and 42nd Streets	(b) (7)(E)	1015000102	ACTIVE	USACE	(b) (6)(b) (7)(C)	Active		and waiting on RE actions	Design complete. Waiting on RE and EMV. Once USACE signed off on the design, RE and EMV completed. Schedule created for anticipated (b) (5)	RE and EMV and working with the Tucson Station for final response (b) (5)		
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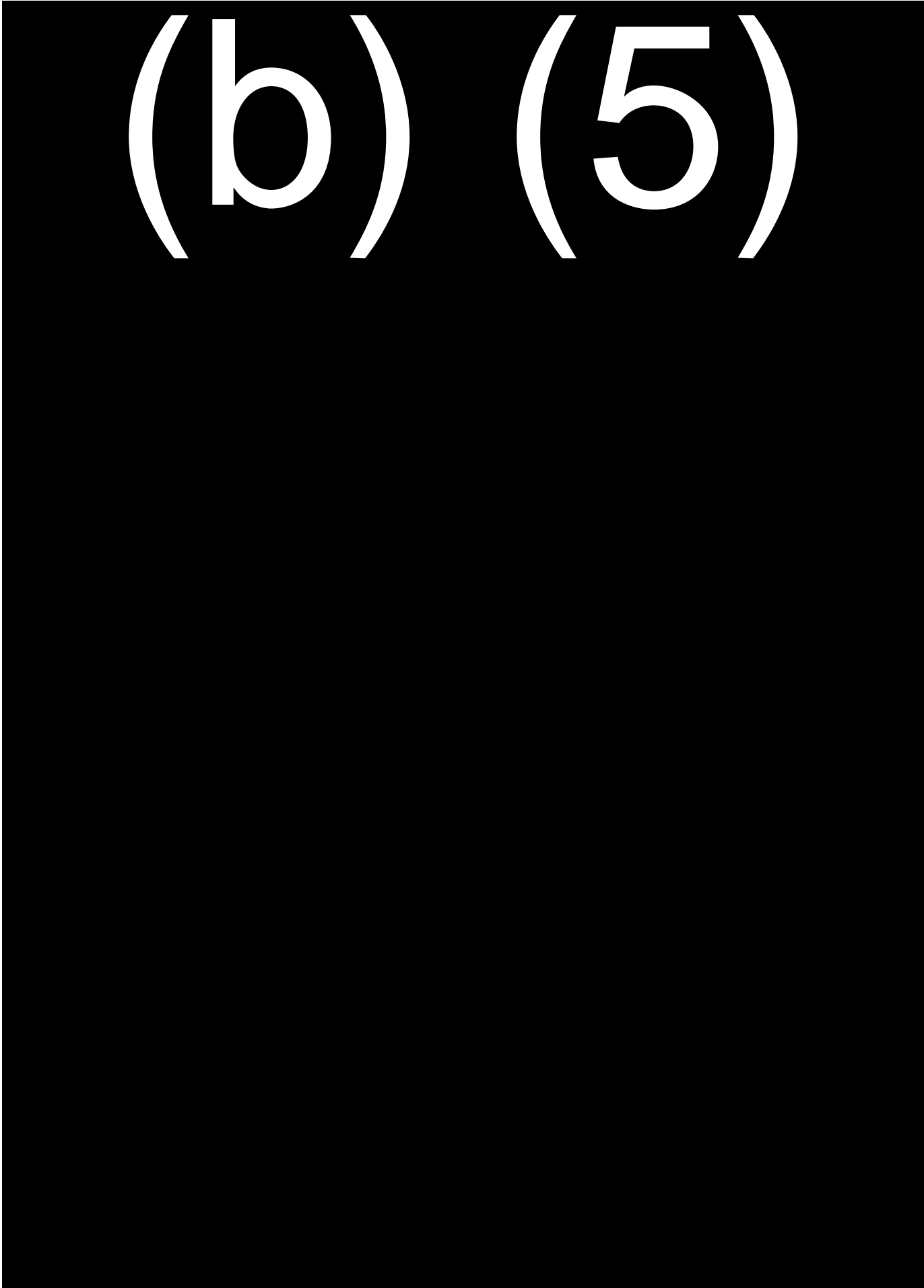
(b) (5)

(b) (5)

(b) (5)

(b) (5)

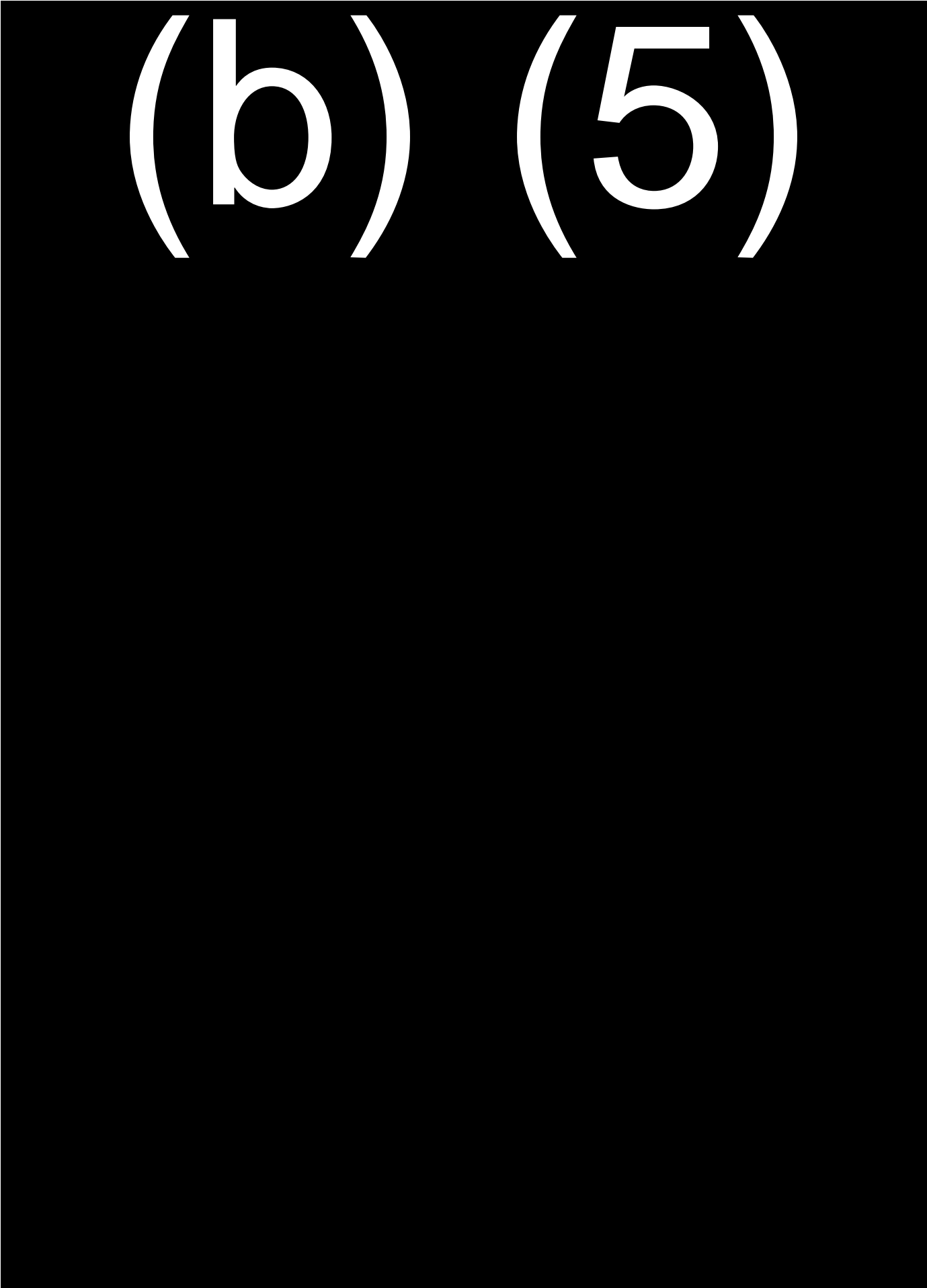
(b) (5)



(b) (5)

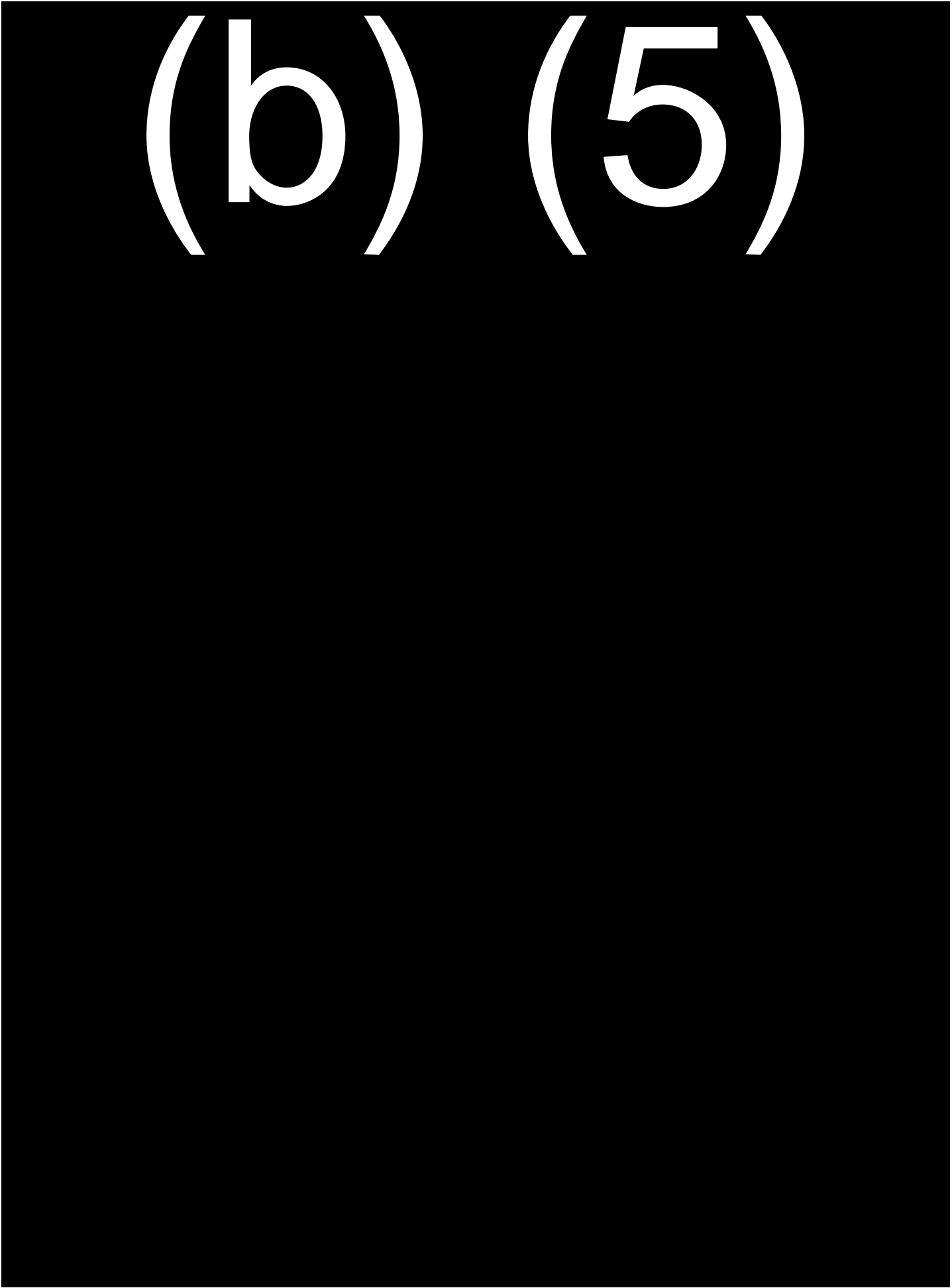
(b) (5)

(b) (5)





(b) (5)



**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting  
**Date:** Wednesday, May 31, 2017 7:27:09 AM

---

Are we including the miles CBP purchased?

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 3:56 PM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Ok (b) (6), (b) (7)(C) this time for real. Can you get Loren to look at this please?

(b) (6), (b) (7)(C)  
Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 3:55 PM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Agreed (b) (6), (b) (7)(C) ast version appears to be clear on the fed lands and RR.

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 12:53 PM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Thanks (b) (6), (b) (7)(C) I think it makes more sense now.

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office

Mobile: (b) (6), (b) (7)(C)

Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 2:52 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

(b) (6), (b) (7)(C) correct me if I am wrong, b (b) (5).

How about this:

(b) (5)

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 3:47 PM

**To:** (b) (6), (b) (7)(C)

[REDACTED]

[REDACTED]

**Cc:** (b) (6), (b) (7)(C)

[REDACTED]

[REDACTED]

**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

(b) (5)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 12:20 PM

**To:** (b) (6), (b) (7)(C)

[REDACTED]

(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

[REDACTED]

[REDACTED]

**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Please read my note I just sent, and then decide if it's ready...

v/r

(b) (6), (b) (7)(C)

[REDACTED]

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 3:19 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

To keep it simple suggest deleting what is in red.

(b) (6), (b) (7)(C) good to go?

(b) (6), (b) (7)(C) one more for him to look at please.

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 2:53 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Simplified answer:

(b) (5)

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office  
Mobile: (b) (6), (b) (7)(C)  
Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:09 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** Answer #3 RE: Domestic Policy Council Meeting

(b) (6), (b) (7)(C) I think we are still on the hook to tackle our #3, which is their #11 from the larger list of questions – see attached.

My advice is to say something like the following:

(b) (5)

v/r

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:40 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

So no need to respond to 3#?

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office

Mobile: (b) (6), (b) (7)(C)

Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 9:39 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Great, thank you.

Will send this response up.

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:22 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Looks like we're only on the hook for the IBWC question?

(b) (5)

Thanks,

(b) (6), (b) (7)(C)

1.

(b) (5)

2..

(b) (5)

(b) (5)



(b) (5)

3. (b) (5)

4

(b) (5)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 8:55 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

I said for #4, I meant #2.

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 8:48:50 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

(b) (6), (b) (7)(C) for #4, we have that 2-page white paper I prepared, since they're asking for something nlt today, do you want that or something like it? I mean they're asking an extremely broad multi-layered question including - what's the process, how long does it take, why does it take so long, etc.

(b) (5)

(b) (5)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, May 29, 2017 8:04:49 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

Hi all –

Looks like we need to get these answered asap (sorry, I hate that too) – hoping this isn't a big lift.  
Can we target 10 am Tuesday?

(b) (6), (b) (7)(C)

can you take #1? The answer is no – no issues and we can highlight our past meeting and upcoming one as well.

(b) (6), (b) (7)(C)

can you take #2 and #4? I know these answers can be lengthy, but let's try to keep it as straightforward as possible.

BusOps can take #3 – I think we have that answer already. (b) (6), (b) (7)(C) can you confirm)?

1.

(b) (5)

2..

(b) (5)

(b) (5)

3.

(b) (5)

4.

(b) (5)

(b) (6), (b) (7)(C)

Director, Business Operations Division

Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 1:10 PM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) MILDREW,  
SEAN (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

(b) (5)

(b) (6), (b) (7)(C)

Associate Chief Counsel - Trade and Finance  
Office of the Chief Counsel  
U.S. Customs and Border Protection  
(b) (6), (b) (7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

~~This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.~~

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 12:31 PM

**To:** (b) (6), (b) (7)(C) CALVO, KARL H.

<(b) (6), (b) (7)(C)>  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) MILDREW,  
SEAN (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Karl – we will need to loop in OCC for confirmation,

(b) (5)

(b) (6), (b) (7)(C)

Executive Director, Budget Directorate

U.S. Customs and Border Protection

Department of Homeland Security

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 11:22 AM

**To:** CALVO, KARL H. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) MILDREW,

SEAN (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Karl, thanks for this. (b) (5)

(b)(6) (b)(7)(c)

(b) (6), (b) (7)(C)

Deputy Assistant Commissioner, Acquisition

Head of the Contracting Activity

Location: (b) (6), (b) (7)(C)

Desk: (b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)

Main: (b) (6), (b) (7)(C)

---

**From:** CALVO, KARL H.

**Sent:** Friday, May 26, 2017 11:17 AM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

MILDREW, SEAN

(b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

KOLBE, KATHRYN

(b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

**Importance:** High

All: Rather than trying to coordinate a call with multiple parties on a Friday before the holiday weekend, I'm attempting to explain what is needed via email. Below I've highlighted those questions from the Domestic Policy Council (DPC) that we need to pull together input from your offices. The highlighted sections are assigned to various offices (either USBP, OCC, Procurement or OFAM). Just to note, the DPC is a high ranking council (similar to NSC but on domestic issues) and has direct input to POTUS. Your help w/ these questions is highly important to ensure we get the answers correctly articulated.

**I need your input by COB Tuesday, May 30<sup>th</sup>. OFAM will compile and send to EAC Kolbe before noon on Wednesday, May 31<sup>st</sup>.**

I'd like to offer some clarity from my perspective from the meeting that might help with answers:

1.

2.

3.

(b) (5)

4.

5.

6.

7.

8.

9.

10

11

12

(b) (5)

Please call or email me if you have questions. Thanks.

v/r Karl

*Karl H. Calvo, CFM, PMP*

Assistant Commissioner, Office of Facilities and Asset Management  
U.S. Customs and Border Protection  
Washington, DC

(b) (6), (b) (7)(C) (Office)  
cell)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: [EXTERNAL] RE: Domestic Policy Council Meeting  
**Date:** Tuesday, May 30, 2017 11:46:52 AM

---

G to g

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 11:17 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: [EXTERNAL] RE: Domestic Policy Council Meeting

Revised to reflect (b)(6) (b) notes on El Paso/Anapra below...

DRAFT RESPONSE:

(b) (5)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 10:32 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** Re: [EXTERNAL] RE: Domestic Policy Council Meeting

(b) (5)

Sent from my iPad

On May 30, 2017, at 7:21 AM, (b) (6), (b) (7)(C)  
wrote:

Looks like we're only on the hook for the IBWC question? (b) (5)

Thanks,

(b) (6), (b) (7)(C)

1. Are we having problems with IBWC...especially in El Paso? OFAM

DRAFT RESPONSE

(b) (5)

- 2.. There were multiple questions about the real estate acquisition process – timeline, regulatory or legal authority, landowner negotiation and condemnation. \*OFAM



DRAFT RESPONSE

(b) (5)

3. How much of the southern border is government owned? \* OFAM.  
Need a number.
4. How is fair market value of the land determined? \* OFAM/ OCC  
Need basic explanation.

DRAFT RESPONSE

(b) (5)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting  
**Date:** Tuesday, May 30, 2017 12:09:43 PM

---

We need to simplify as much as possible and caveat where needed (b) (6), (b) (7)(C) please see what you can come up with and let's go from there – especially since they gave us 3 hours to do this....

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 12:08 PM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting

(b) (6), (b) (7)(C) I think that may be more complicated than what they are asking for.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office  
Mobile: (b) (6), (b) (7)(C)  
Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 11:08 AM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting

Don't know if you wanted to include my input/writeup that I provided earlier, but I just wanted to add that we should perhaps break it out by Dept, not by Agency, and include DoD:

So DOI, Dept of Ag (DOA), and DOD.

v/r

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 11:47 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

On it! (b)(6) is pulling it now

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office

Mobile: (b) (6), (b) (7)(C)

Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:40 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Can you please?

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management

Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 11:27 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Ok back to my earlier question – want me to pull this or (b)(6) (b)(7) ?

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office  
Mobil (b) (6), (b) (7)(C)  
Office (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 9:57 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Yes – we still need a response on this:

1. How much of the southern border is government owned? \* OFAM. Need a number.

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:40 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

So no need to respond to 3#?

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office  
Mobile: (b) (6), (b) (7)(C)  
Office: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 9:39 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Great, thank you.

Will send this response up.

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (732) 682-5629

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 10:22 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Looks like we're only on the hook for the IBWC question?

(b) (5)

Thanks,  
VA

1. Are we having problems with IBWC...especially in El Paso? OFAM

DRAFT RESPONSE

(b) (5)

(b) (5)

2..

(b) (5)

(b) (5)

3.

number.

4. How is fair market value of the land determined? \* OFAM/ OCC Need basic explanation.

DRAFT RESPONSE

(b) (5)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 8:55 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

I said for #4, I meant #2.

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 8:48:50 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

(b) (6), (b) (7)(C) for #4, we have that 2-page white paper I prepared, since they're asking for something nlt today, do you want that or something like it? I mean they're asking an extremely broad multi-layered question including - what's the process, how long does it take, why does it take so long, etc.

(b) (5)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, May 29, 2017 8:04:49 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

Hi all –

Looks like we need to get these answered asap (sorry, I hate that too) – hoping this isn't a big lift.  
Can we target 10 am Tuesday?

(b) (6), (b) (7)(C)

can you take #1? The answer is no – no issues and we can highlight our past meeting and upcoming one as well.

(b) (6), (b) (7)(C)

can you take #2 and #4? I know these answers can be lengthy, but let's try to keep it as straightforward as possible.

BusOps can take #3 – I think we have that answer already. (b) (6), (b) (7)(C) can you confirm)?

1. Are we having problems with IBWC... especially in El Paso? OFAM

(b) (5)

2.. There were multiple questions about the real estate acquisition process – timeline, regulatory or legal authority, landowner negotiation and condemnation.

\*OFAM

(b) (5)

3. How much of the southern border is government owned? \* OFAM. Need a number.

4. How is fair market value of the land determined? \* OFAM/ OCC Need basic explanation.

(b) (6), (b) (7)(C)

Director, Business Operations Division  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)

Sent: Friday, May 26, 2017 1:10 PM

To: (b) (6), (b) (7)(C)

CALVO, KARL H. (b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)  
>; MILDREW,  
SEAN <(b) (6), (b) (7)(C)>  
Cc: (b) (6), (b) (7)(C)  
KOLBE, KATHRYN (b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting

(b) (5)

(b) (6), (b) (7)(C)  
Associate Chief Counsel - Trade and Finance  
Office of the Chief Counsel  
U.S. Customs and Border Protection  
(b) (6), (b) (7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

~~This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.~~

---

From (b) (6), (b) (7)(C)  
Sent: Friday, May 26, 2017 12:31 PM  
To: (b) (6), (b) (7)(C) CALVO, KARL H.  
(b) (6), (b) (7)(C)  
MILDREW,  
SEAN (b) (6), (b) (7)(C)  
Cc: (b) (6), (b) (7)(C)  
KOLBE, KATHRYN (b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting

Karl – we will need to loop in OCC for confirmation, (b) (5)  
.

(b) (6), (b) (7)(C)  
Executive Director, Budget Directorate  
U.S. Customs and Border Protection  
Department of Homeland Security  
(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** Answer #3 RE: Domestic Policy Council Meeting  
**Date:** Tuesday, May 30, 2017 11:08:43 AM  
**Attachments:** NON-RESPONSIVE

---

(b) (6), (b) (7)(C) I think we are still on the hook to tackle our #3, which is their #11 from the larger list of questions – see attached.

My advice is to say something like the following:

(b) (5)

v/r

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 10:40 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)  
To: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
Subject: TON IFT IP Updated and Axia Appraisals.  
Date: Friday, March 17, 2017 8:25:38 PM  
Attachments: [IFT on the TON.DOCX](#)  
[AXIA Appraisals.pdf](#)

---

All,

Attached is the updated Ton IFT Issue Paper along with the valuation sheets for Axia Appraisal done by the Tohono O'odham Nation in reference to the Traditional Norther Rd (TNR) and the TON IFT Project.

Thanks,

(b) (6), (b) (7)(C)  
Tucson Sector Tribal Liaison  
Office: (b) (6), (b) (7)(C)  
Cell: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

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## Integrated Fixed Towers on the Tohono O'odham Indian Nation

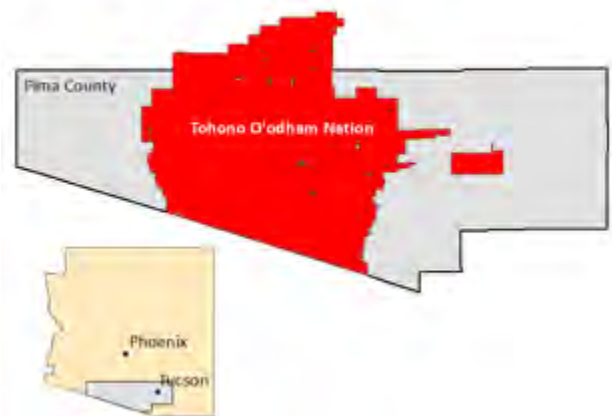
(b) (5)

### BACKGROUND

The Tohono O'odham Nation (Nation) governs about 4,400 square miles of land in south central Arizona. This is the second largest Native American land holding in Arizona. Sixty-three miles<sup>1</sup> of the tribal land is on the U.S. border with Mexico.

The Tohono O'odham Nation has a population of approximately 28,000 enrolled members. The majority of tribal members live off the reservation. The tribe's resident population is about 11,000.

Figure 1 – Tohono O'odham Nation



Border Patrol agents from the Tucson Sector's Ajo, Casa Grande, and Tucson Stations all patrol on portions of the Tohono O'odham Nation.

Before discussions of border enforcement operations or fixed surveillance technology deployment on the Nation can be understood, a little background on the history and culture of the tribe is required.

---

<sup>1</sup> Several sources incorrectly state that the tribal land is on 72 or 75 miles of international border. The official reservation designation puts the eastern boundary in the center of the Baboquivari Mountains. Some sources include the eastern slope of these mountains as tribal land resulting in the increased number of border miles.

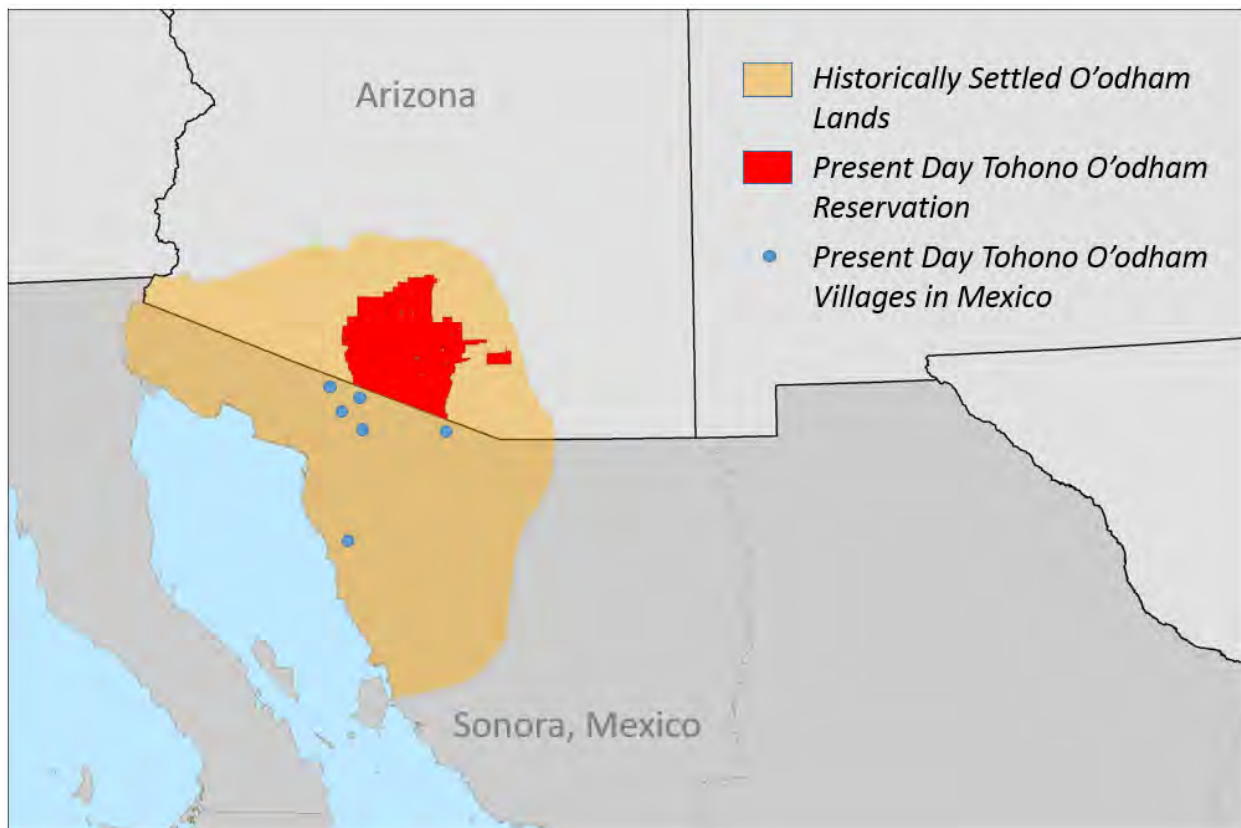
## Integrated Fixed Towers on the Tohono O’odham Indian Nation

### *Tohono O’odham History*

For hundreds of years, the O’odham inhabited an area of land in the southwest extending from the Salt River (south of what is now Phoenix, Arizona) through much of northwest Sonora, Mexico. This area is shown on **Figure 2** below.

The Tohono O’odham were a semi-nomadic people. Their agricultural lifestyle was intrinsically intertwined with the summer monsoon rains and the availability of water defined their seasonal migration. In the winter, “well villages” near natural springs were inhabited at the base of the mountains. Upon the arrival of summer monsoon rains that provided moisture for crops and residents, settlements would relocate to the basin “field villages”. With shifting residential patterns and the wide dispersal of the Tohono O’odham fields, there was no need for the people to create large villages or a unified tribal political organization. Because of this, they had limited contact with non-native settlers and retained more of their traditional culture.

**Figure 2 – Traditional O’odham Lands**



From the early 18<sup>th</sup> century, the O’odham land was almost entirely within Mexico. In 1853, through the Gadsden Purchase, the land was divided between the United States and Mexico.

## Integrated Fixed Towers on the Tohono O'odham Indian Nation

Initially, the O'odham people ignored the border and mostly ignored the governments of Mexico and United States as well. Accustomed to seasonal migration, the border represented no barrier to their movement. Seasonal migration was often undertaken to whichever side of the border provided the best living conditions.

The Tohono O'odham Indian Reservation was established by the United States government in 1917<sup>2</sup>. There has never been official recognition of the Tohono O'odham by the Mexican government. The lack of a secure land base in Mexico has resulted in the loss of O'odham possessed lands and all that remains today are a few villages. While these villagers are citizens of Mexico, as Tohono O'odham tribal members they are entitled to the same health and other tribal services provided to members living in the United States.

(b) (5)

Until the mid to late 1980s, the Tohono O'odham's relationship with the U.S. Border Patrol was relatively copacetic due mostly to a lack of interaction. A small number of agents patrolled that portion of the border. U.S. citizen tribal member visiting relatives in Mexico, or Mexican tribal members seeking services on the reservation would cross the border with relative impunity. Additionally, regular gatherings known as swap meets would take place just south of (b) (7)(E) (b) (7)(E) a well-known traditional border crossing location near the village of (b) (7)(E)

As drug and alien smuggling activity increased on the Tohono O'odham Nation over the past twenty years, there has been a significant increase in the number of Border Patrol agents working in the area. As a result, there had been an increase in the amount of interaction and hostility. Working relationships have improved over the past few years as tribal members have become used to the presence of agents and agents have made efforts to understand and respect the unique elements of tribal culture.

---

<sup>2</sup> This was known as the Papago Indian Reservation when established in 1917. The Tohono O'odham were called "Papago" (*bean people*) by Spanish settlers. In 1986, the tribe officially changed their name from Papago to Tohono O'odham.

## Integrated Fixed Towers on the Tohono O'odham Indian Nation

Today, the Tucson Sector expends considerable efforts on tribal liaison. (b) (7)(E)

(b) (7)(E)

Almost all tribal members and leaders are opposed to a border wall or any type of pedestrian fencing. (b) (7)(E)

Those members with traditional values still see the land as a defining component of their identity. Like many Native Americans, they have an affinity for the land that borders on spirituality. To them, the importance of the land goes well beyond just a place to live or earn a living. Traditional tribal members do not see this as a wall on their border, but as a wall through the middle of their land. They do not oppose a wall for simple political reasons, but consider the symbolism of the wall an affront to their semi-nomadic cultural identity.

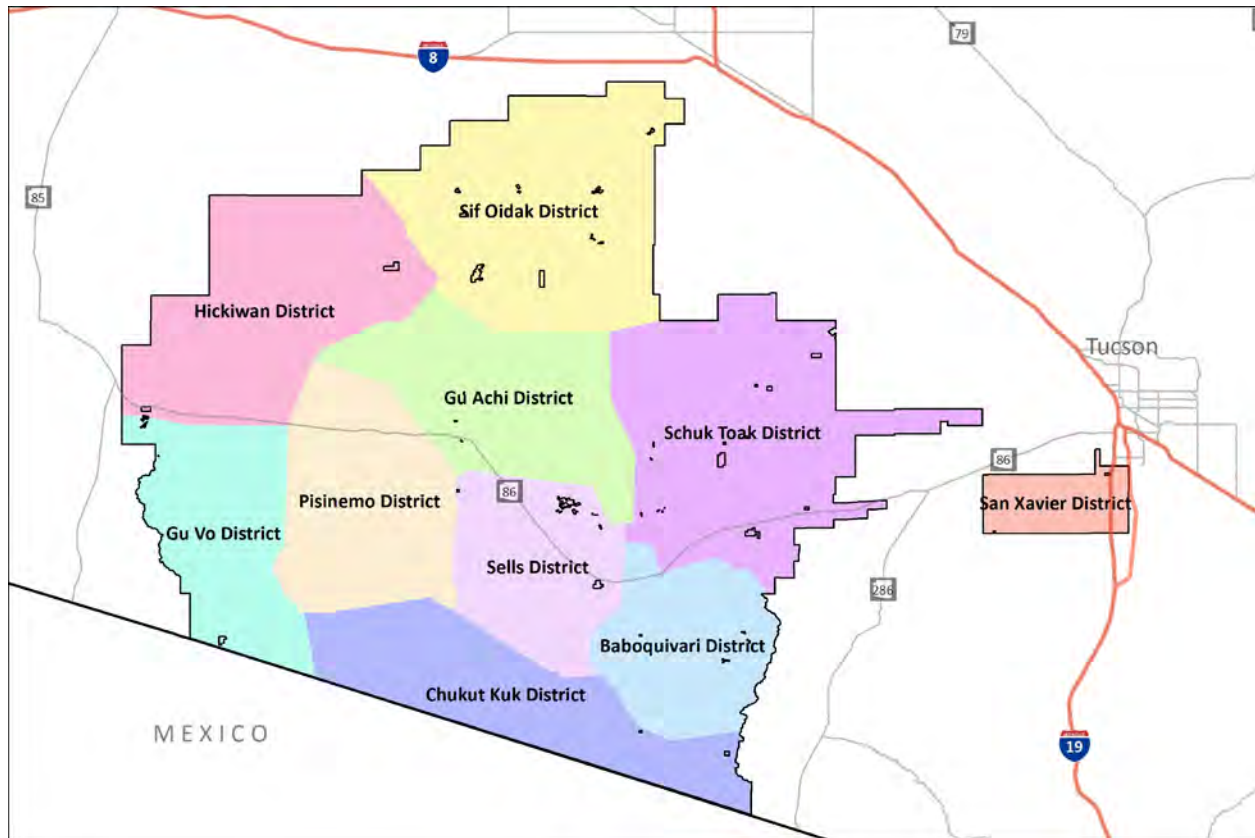
Tribal members also believe a pedestrian barrier or wall will interfere with the habitat or migration of native animals, including species they consider culturally or religiously significant.

## Integrated Fixed Towers on the Tohono O'odham Indian Nation

### ***Tribal Government***

The Tohono O'odham Nation is made up of eleven districts. These are shown in **Figure 3** below<sup>3</sup>.

**Figure 3 – Tohono O'odham Districts**



Each district elects a Chairman, Vice-Chairman, Secretary, and Treasurer.

The Tohono O'odham tribal government is comprised of three branches:

- *Executive Branch* – The Tribal Chairman and Vice-Chairman
- *Legislative Branch* – The Tohono O'odham Legislative Council consists of a Legislative Chairman, Vice-Chairman, and two representatives of each of the Nation's eleven districts
- *Judicial Branch* – The tribal courts and judges

---

<sup>3</sup> The non-contiguous elements of the San Lucy District are not shown on the map.



## Integrated Fixed Towers on the Tohono O'odham Indian Nation

### *Smuggling Activity on the Tohono O'odham Nation*

For nearly two decades, alien and drug smuggling activity has been high on the Tohono O'odham Nation. This is due, in part, (b) (7)(E)

(b) (7)(E)

While the number of arrests and seizures has been decreasing over the past few years, smuggling activity on the Nation remains at unacceptably high levels.

Arrests and marijuana seizures made during the past five complete fiscal years are shown on the table below:

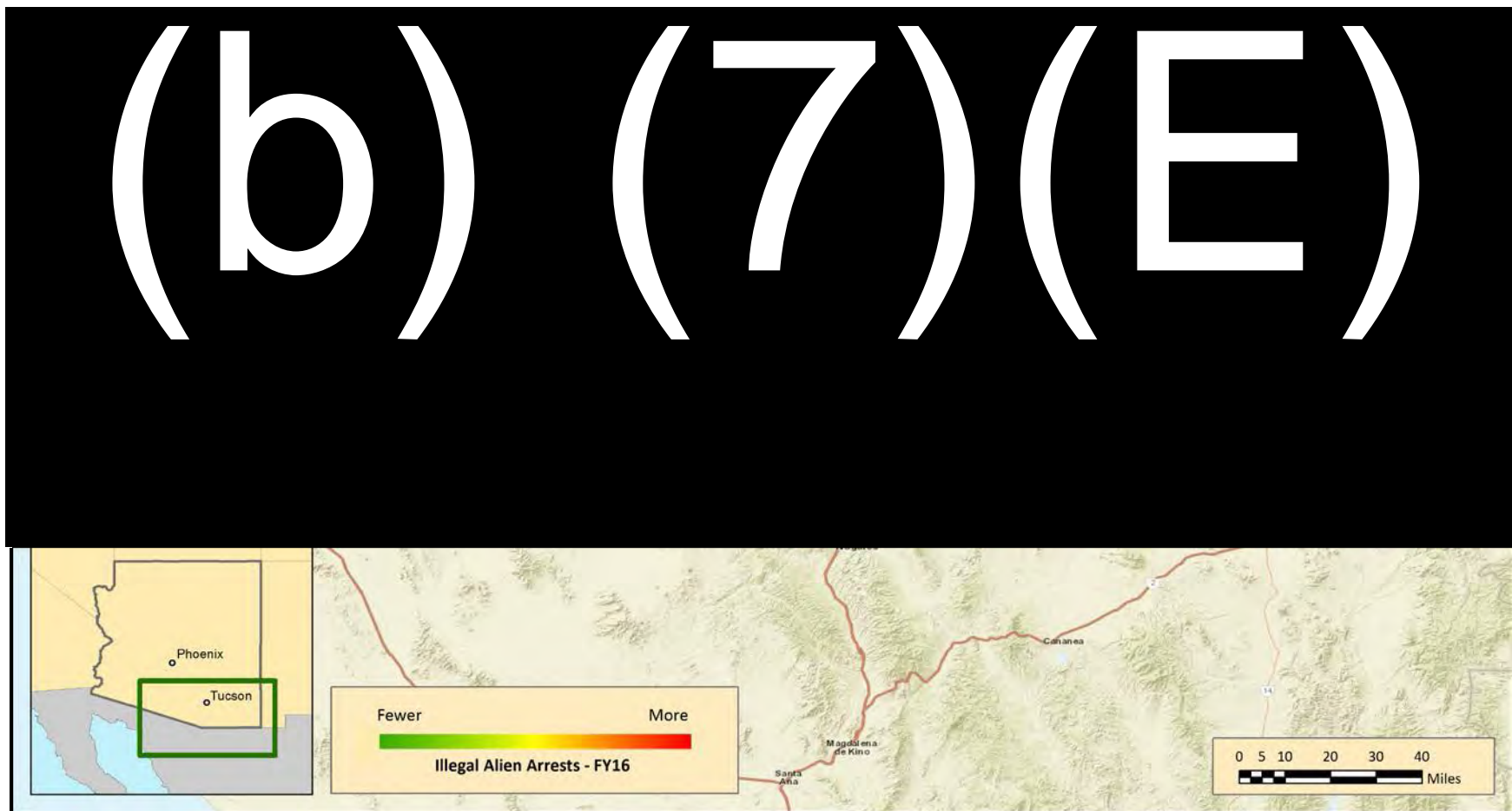
**Table 1 – Tucson Sector Arrests and Marijuana Seizures – FY2012 through FY2016**

Fiscal Year	Illegal Alien Arrests		Marijuana Seizures			
			Number of Seizures		Weight (pounds)	
	Sector Total	On the T.O. Nation	Sector Total	On the T.O. Nation	Sector Total	On the T.O. Nation
FY16	64,886	(b) (7)(E)	4,400	(b) (7)(E)	728,367	(b) (7)(E)
FY15	63,339		4,385		476,203	
FY14	87,916		5,280		970,966	
FY13	120,936		6,290		1,191,728	
FY12	119,593		5,059		1,015,720	

Proportional levels of arrests and marijuana seizures for fiscal year 2016 are shown on **Figure 4** and **Figure 5** on the next pages.

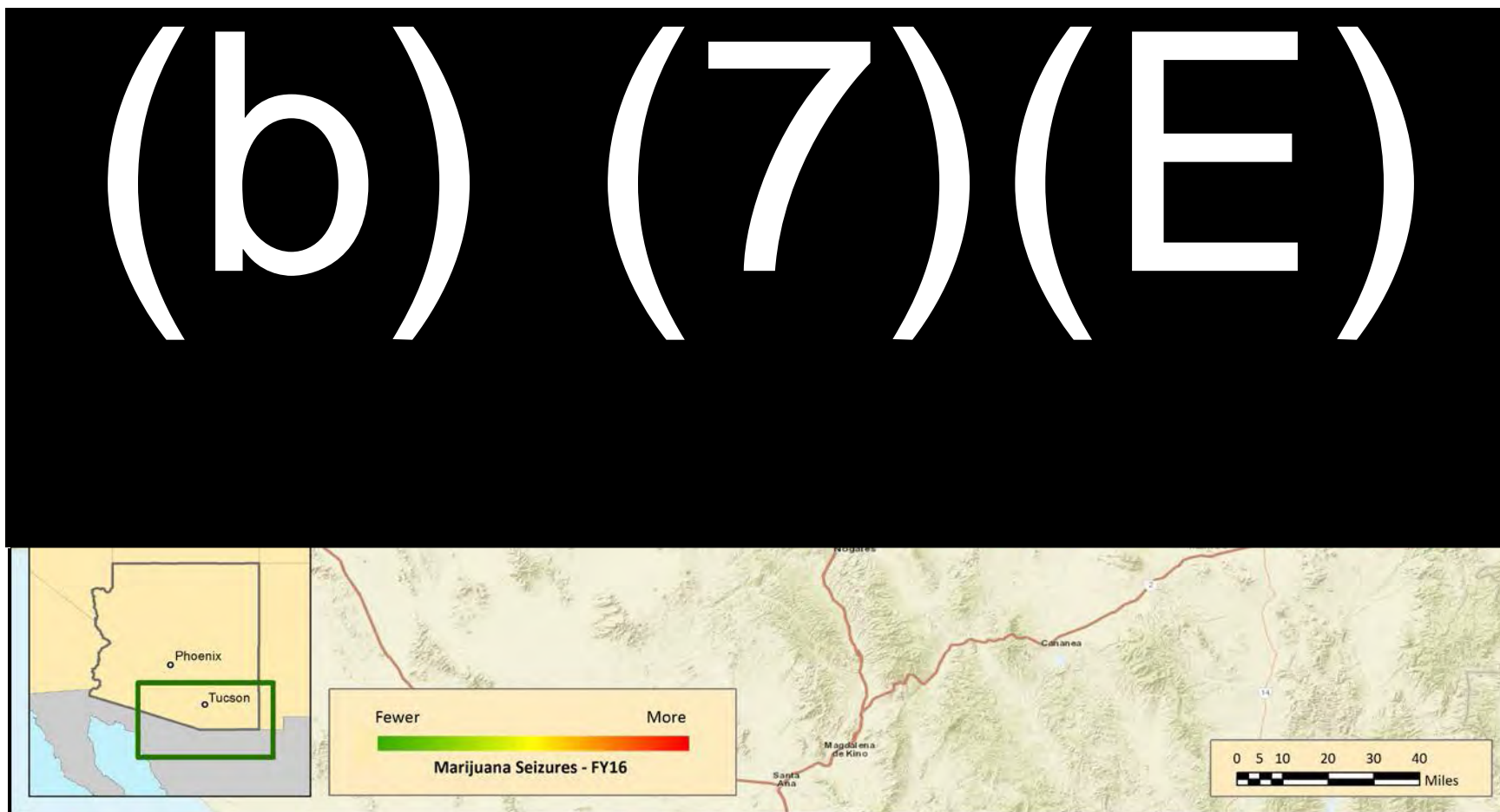
## Integrated Fixed Towers on the Tohono O'odham Indian Nation

Figure 4 – Proportional Level of Arrests – Tucson Sector – Fiscal Year 2016



## Integrated Fixed Towers on the Tohono O'odham Indian Nation

Figure 5 – Proportional Level of Marijuana Seizures – Tucson Sector – Fiscal Year 2016



## Integrated Fixed Towers on the Tohono O'odham Indian Nation

### *Recent Technology Deployment in the Tucson Sector*

(b) (5)

SBl<sup>net</sup> suffered numerous technical problems and schedule delays. It was also plagued by poor expectation management. (b) (7)(E)

(b) (7)(E) (b) (7)(E) (b) (5)

In January 2011, DHS Secretary Napolitano cancelled Boeing Co.'s multibillion-dollar SBl<sup>net</sup> contract and tasked CBP with formulating a better path forward to acquiring and deploying border technology. This become the Arizona Border Surveillance Technology Plan.

(b) (7)(E)

(b) (7)(E)

(b) (7) (E)



(b) (7) (E)

Integrated Fixed Towers on the Tohono O'odham Indian Nation

(b) (7)(E)

## **Integrated Fixed Towers on the Tohono O'odham Indian Nation**

### **Efforts to Deploy Fixed Technology on the Tohono O'odham Nation**

The Tucson Sector has been coordinating with the Tohono O'odham Nation for more than ten years on fixed technology deployment. These efforts are outlined below:

(b) (7)(E)





(b) (7)(E)



(b) (7)(E)

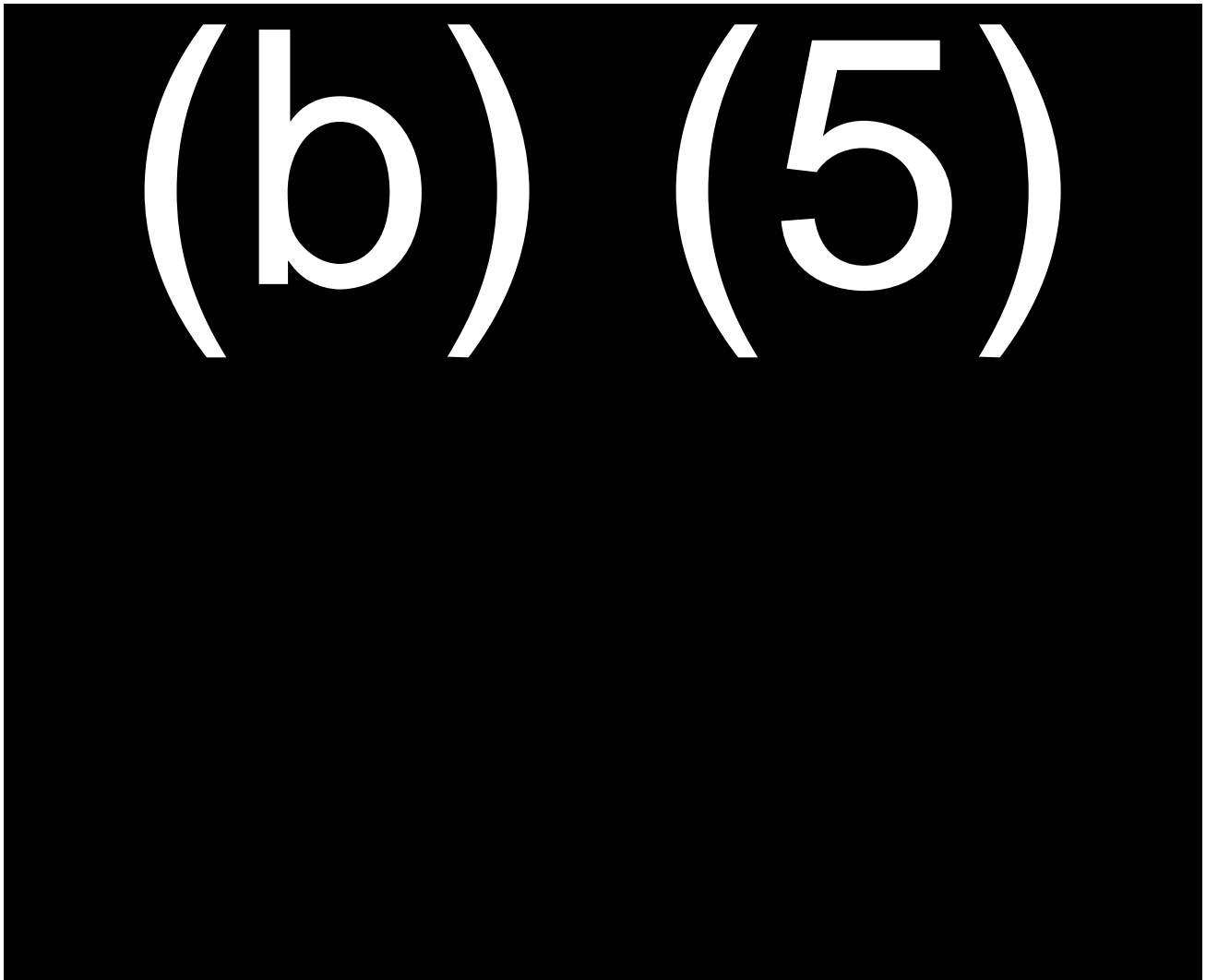


## Integrated Fixed Towers on the Tohono O'odham Indian Nation

		(b) (7)(E)
--	--	------------

### PRESENT STATUS

Elections on the Tohono O'odham Nation will be held in late May, 2017. Voters will elect leaders for several of the Nation's eleven districts and half the representatives to the tribal Legislative Council.



## Integrated Fixed Towers on the Tohono O'odham Indian Nation

Once this issue is resolved, CBP and tribal leaders will work out the actual language of the resolution.

On March 10, 2017 the TOLC met with Tucson Sector personnel for a tour of the Nogales Station Command and Control (C-2) facility and a visit to a working IFT site. The Council had a quorum of 18 members with 5 support staff members to include the Council's attorney.

The visit went well and a homeowner in an area near a (b) (7)(E) Station IFT site spoke about privacy issues. The homeowner resides within a quarter mile of the site located off (b) (7)(E) near the (b) (7)(E). She provided positive feedback to the TOLC along with the safety factor that her and her grandkids no longer have a fear of playing outside because they know Border Patrol is monitoring the area.

(b) (7)(E)

A follow on conversation was held with the tribal leaders to discuss the language for the Grant of Easement and the remaining items left to be completed that includes the IFT EA, Grant of Easement language, and the monetary amount to be negotiated by CBP. The Nation is going to provide a draft resolution, specific terms for the grant and possibly some type of inter-governmental agreement specific to the IFT project.

Based upon our analysis of the Traditional Northern Road easement, it is our opinion that the GMAR for the subject property over the 25-year life of the easements is (b) (5)

**OPINION OF THE COMPOSITE  
GROSS MINIMUM ANNUAL RENT (GMAR)  
OF THE TNR OVER 25-YEARS.....**

**(b) (5)**

Based upon our analysis of the IFT project, it is our opinion that the GMAR for the subject properties over the 25-year life of the easements is (b) (5)

**OPINION OF THE COMPOSITE**

**GROSS MINIMUM ANNUAL RENT (GMAR)**

**OF THE IFT PROJECT OVER 25-YEAR S..... (b) (5)**

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Acting AAG Wood's Testimony  
**Date:** Thursday, June 22, 2017 1:56:37 PM  
**Attachments:** [Fed vs NonFed Border Fence Miles\\_06-21-17.xlsx](#)

---

As a follow-up to my below email, I'm attaching the updated spreadsheet.

v/r  
(b) (6), (b) (7)(C)  
[Redacted]

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Thursday, June 22, 2017 1:44 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
[Redacted]  
[Redacted] (b) (6)  
**Subject:** RE: Acting AAG Wood's Testimony

(b) (6), (b) (7)(C)  
[Redacted]

We found the major issue which resolves the fence mileage issue.

The following comment from your summary paragraph is correct as it pertains to "Primary Fence":  
"Department of Homeland Security has completed 654 miles of fencing, including (b) (7)(E) of vehicle barriers and (b) (7)(E) of pedestrian fence"

My math was off due to a misunderstanding internally...not worth getting into – it was my fault.  
It should have said the following:

1. **MILES OF EXISTING FENCE/WALL ALONG THE SOUTHWEST BORDER:**

- a. 654 total miles (b) (7)(E)
  - i. (b) (7)(E)
  - ii. (b) (7)(E)
  - iii. (b) (7)(E)
  - iv. (b) (7)(E)

To reiterate 654 miles of the SW Border currently has PF or VF.  
However, FYI - there is other Secondary and Tertiary fencing behind some of that Primary fence. The total number, including Primary, Secondary and Tertiary is roughly 705 miles.

(b) (5)

(b) (5)

We'll get to the bottom of it though...

v/r

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Wednesday, June 21, 2017 5:26 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Acting AAG Wood's Testimony

Thank you all! (b) (5)

(b) (5)

(b) (5)

With all of this said, it is what it is. We would just like to move forward and understand the correct mileage, generally, for talking points.

Thanks, (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) CHIEF

Land Acquisition Section | Environment and Natural Resources Division | U.S. Department of Justice

Phone | office (b) (6), (b) (7)(C) | mobile (b) (6), (b) (7)(C)



U.S. Mail | (b) (6), (b) (7)(C)

Overnight & Hand Delivery (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

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---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, June 20, 2017 5:34 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Acting AAG Wood's Testimony

**Importance:** High

Good afternoon (b) (6), (b) (7)(C) I just wanted to let you know we haven't forgotten about your request. ☺

As discussed, our office is working to iron out a "final" answer to the questions you posed in advance of Acting Assistant Attorney General Wood's initial testimony earlier this month.

I am CC'ing others on this email, so we can collectively appreciate the urgency given that AAG Wood will be testifying again in the near future.

FYI - we have a meeting scheduled on Thursday to discuss the issue.

To recap for everyone's benefit, I'm attaching the spreadsheet I provided you on June 7<sup>th</sup>, and I'm summarizing below the figures we generated as part of that exercise.

(b) (5)

(b) (5)

Anyway, **below is what we generated on June 7<sup>th</sup> along with the caveats outlined on the attachment and in the below email.**

(b) (5)

(b) (5)

4. MILES OF EXISTING FENCE/WALL:

a.

(b) (7)(E)

v/r

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

---

**From:** (b) (6) (ENRD)

**Sent:** Wednesday, June 07, 2017 6:25:00 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** Re: Acting AAG Wood's Testimony

Thank you. I am going to offer rough, generic numbers so as not to cause anyone heartburn. Much appreciated.

Sent from my iPhone

On Jun 7, 2017, at 6:11 PM, (b) (6) (b) (7)(C)

(b) (6), (b) (7)(C) wrote:

Hello (b) (6), (b) (7)(C) the summary spreadsheet is attached, which breaks out federal vs. non-federal border mileage and existing fence mileage by State.

I worked with our GIS specialist, (b) (6), (b) (7)(C) to generate the attached spreadsheet...he is CC'd on this response so he can field questions directly if necessary.

(b) (5)

v/r

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)

Sent: Wednesday, June 07, 2017 4:28 PM

To: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

Subject: RE: Acting AAG Wood's Testimony

Thank you all on answering the first part – any breakout on where our constructed miles (on US land vs non federal land)?

Reards,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) Chief

Land Acquisition Section | Environment and Natural Resources Division | U.S. Department of Justice

Phone | office (b) (6), (b) (7)(C) | mobile (b) (6), (b) (7)(C)

U.S. Mail (b) (6), (b) (7)(C)

Overnight & Hand Delivery (b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)

Sent: Wednesday, June 07, 2017 2:51 PM

To: (b) (6), (b) (7)(C)

<

(b) (6), (b) (7)(C)

(b) (6) (ENRD)

(b) (6)

Cc: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: RE: Acting AAG Wood's Testimony

(b) (6), (b) (7)(C)

(b) (5)

This was the final answer we provided:

11. How much of the southern border is government owned?

(b) (7)(E)

(b) (7)(E)

The Roosevelt Reservation was established under Executive Order in 1907, and it legally allows for the Federal Government's reservation of rights for dedicated use within a 60-foot swath along the southwest border with Mexico.

v/r

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)

Sent: Wednesday, June 07, 2017 1:41 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: RE: Acting AAG Wood's Testimony

Good afternoon –

Please find the response CBP provided to the Domestic Policy Council. We're looking into the breakout of mileage for "existing" and not built border wall/fence.

(b) (5)

\*The Roosevelt Reservation was established under Executive Order in 1907, and it legally allows for the Federal Government's reservation of rights for dedicated use within a 60-foot swath along the southwest border with Mexico. Therefore, the Government does not "own" this swath per se, but it is legally under Government "control."

From: (b) (6), (b) (7)(C)

Sent: Wednesday, June 07, 2017 11:34 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Subject: RE: Acting AAG Wood's Testimony

Thank you all. And just to clarify, we can break out by state if you have but I suggest do all border miles in Texas, New Mexico, Arizona and California.

Thanks, (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C), Chief

Land Acquisition Section | Environment and Natural Resources Division | U.S. Department of Justice

Phone | office (b) (6), (b) (7)(C) | mobile (b) (6), (b) (7)(C)

U.S. Mail | (b) (6), (b) (7)(C)

Overnight & Hand Delivery | (b) (6), (b) (7)(C)

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From: (b) (6), (b) (7)(C)

Sent: Wednesday, June 07, 2017 11:20 AM

To: (b) (6), (b) (7)(C) (ENRD)

(b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

Subject: RE: Acting AAG Wood's Testimony

(b) (6), (b) (7)(C)

As discussed, here is the email request from (b) (6), (b) (7)(C)  
For his senior leadership, by today he needs a breakout of Federal owned vs. Non-Fed miles on the border (i.e. along the levee in TX), and what portion of that already is fenced.

Thank you!

v/r

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C) (ENRD) [mailto:(b) (6), (b) (7)(C)]

Sent: Wednesday, June 07, 2017 10:58 AM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

Subject: Acting AAG Wood's Testimony

(b) (6), (b) (7)(C)

Thanks for the quick chat about staffer questions. Particularly can you please send to me the break out of federal vs. non-federal existing and not built border wall?

And, yes, this needs to be ASAP as the proposed testimony by my political leadership is tomorrow.

Much appreciated,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) Chief

Land Acquisition Section | Environment and Natural Resources Division | U.S. Department of Justice

Phone | office (b) (6), (b) (7)(C) | mobile (b) (6), (b) (7)(C)

U.S. Mail | (b) (6), (b) (7)(C)

Overnight & Hand Delivery | (b) (6), (b) (7)(C)

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<Fed vs NonFed Border Fence Miles\_06-07-17.xlsx>

**SUMMARY OF ENTIRE SOUTHWEST BORDER BY OWNERSHIP MILES:**

(NOTE: Official count of ACTUAL total border miles is 1,984 miles per U.S. IBWC, so we have some rounding errors here b/c we're not using decimal places)

	FEDERALLY-OWNED LAND							
STATE	Other Govt Agency-Owned	CBP-Owned	Roosevelt & McKinley Reservation	TOTAL FEDERAL (rounded)	Tribal Land	Non-Federal & Non-Tribal	TOTAL NON- FEDERAL (rounded)	
CA	69	14	38	121	1	19	20	
AZ	125	6	148	279	68	35	103	
NM	81	2	95	178	0	3	3	
TX	263	53	0	316	0.25	966	966	
TOTAL:	538	75	281	894	69.25	1023	1092	1986 Total Border Miles with rounding errors
								1984 Actual Total Border Miles per U.S. IBWC

### SUMMARY OF TOTAL FENCED MILES ALONG SOUTHWEST BORDER

*(All federally owned, except for portion of levee wall in (b) (7)(E) County, TX, constructed within IBWC Levee Easement)*

***(Includes Pedestrian and Vehicle Fence - i.e. PF & VF)***

STATE	TOTAL FEDERAL	TOTAL NON-FEDERAL ( <i>Within IBWC Levee Easement</i> )
CA	116	
AZ	307	
NM	116	
TX	95	20
<b>TOTAL:</b>	<b>634</b>	<b>20</b>

VF

**PF**

(b) (7)(E)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** FW: CBP Tracking 2.0 Folder 2017-QFR-00010 - FYI Copy  
**Date:** Tuesday, May 02, 2017 10:12:52 AM  
**Attachments:** [S1 Sen Bdr Sec QFRs.docx](#)  
**Importance:** High

---

Hi (b) (6), (b) (7)(C)

Below is a short-turn around QFR regarding RE for wall. Does OCC have an approved response to the assertion that property is severed or divided into Mexico?

Thanks for your help.

(b)(6);(b)(7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 02, 2017 10:10 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** OFAM-TASKINGS (b) (7)(E); (b) (6), (b) (7)(C)  
**Subject:** FW: CBP Tracking 2.0 Folder 2017-QFR-00010 - FYI Copy

Good morning, (b) (6), (b) (7)(C) Believe this one may have been reassigned to us late in the process. Are you able to respond to the following? The latest version of the QFR document is also attached for your reference.

Thanks,  
(b) (6), (b) (7)(C)

## **PART TWO**

**Question 3a (wf 1142518):** In previous efforts to construct a barrier on the southern border, that barrier has at times left American land, homes, and businesses between the barrier and the Mexican border. This creates great hardship by impeding free access to property and by separating properties from infrastructure and emergency services. How does the government plan to minimize the impact on commerce and quality of life for residents and businesses whose property might be divided by a permanent physical wall, as we have seen in previous cases?

**ANSWER: (ES/OFAM lead, w/ USBP & OCC input)**

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, May 1, 2017 6:43 PM



**To:** Enterprise Services Exec Sec (b) (7)(E); OFO BUDGET FORMULATION (b) (7)(E)

**Cc:** CBP Reports-QFRs (b) (7)(E) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** CBP Tracking 2.0 Folder 2017-QFR-00010 - FYI Copy

To: OFO, USBP, ES/OFAM

Re: status - S1 Sen Bdr Sec QFRs - Improving Border Security, folder (b) (7)(E)

OFO, do you have a status and/or ETA? Please advise.

ES/OFAM, Question 3 under Part 2 is still pending. This may have been missed due to late re-assignments. Please advise.

USBP, there are still five QFRs pending USBP responses, plus one more that may or may not require your input. Please advise.

All QFRs pending responses can be quickly found in **red bold font**.

Folder (b) (7)(E) has been sent to your inbox as an FYI Copy.

(b) (7)(E)

**NON-RESPONSIVE**

QUESTIONS FOR THE RECORD SUBMITTED BY

**THE HONORABLE Heidi Keitkamp**

**NON-RESPONSIVE**



### **Consultation with Tribes**

**Question 24a** ([wf 1142497](#)): Under section 102(b)(1)(C) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended, and pursuant to the Department of Homeland Security (DHS) consultation policy DHS has a responsibility to conduct meaningful consultation with tribes.

Does the Department of Homeland Security have a plan to consult with tribes affected by the construction of the wall or any additional border structures?

If so, what is the plan – and what dates and locations have you arranged for the consultation to occur?

**ANSWER: (ES/OFAM lead, w/ OCC and IPL input)** DHS recognizes the importance of consultation with tribal nations impacted by deployment of border security infrastructure and ongoing border security operations. U.S. Customs and Border Protection (CBP) and the U.S. Border Patrol (USBP) regularly engage leaders from tribes in proximity to the border region or with tribal members impacted by border security operations. Accordingly, to the extent that additional border barriers will be constructed near tribal lands, DHS and CBP will consult with the appropriate tribal authorities. It is too early to know where the border barriers will be constructed and which tribes may be affected. Once locations are determined, meetings will be arranged with the appropriate stakeholders.

In addition to consulting with state and local governments concerning impacts related to the construction of border barriers, DHS and CBP consult with Native American tribes near sites at which border barriers will be constructed. Accordingly, to the extent that additional border barriers will be constructed near tribal lands, DHS and CBP will consult with the appropriate tribal authorities. It is too early to know where the border barriers will be constructed and which tribes may be affected. Once locations are determined, meetings will be arranged with the appropriate stakeholders.

**Question 24b:** Does the Department of Homeland Security plan to actively consult with tribes while preparing the 180-day report to the President?

If so, what is the plan – and what dates and locations have you arranged for the consultation to occur?

**ANSWER: (ES/OFAM lead, w/ OCC and IPL input)** As noted, DHS and CBP headquarters and field staff frequently engage tribal leaders and members with equities in border security infrastructure and operations. Insights gathered from those regular engagements are routinely shared within CBP and DHS, and may inform broader discussions of the state of security along the U.S. southern border.

DHS and CBP will consult with Native American tribes near sites at which border barriers will be constructed as necessary. It is too early to know where the border barriers will be constructed and which tribes may be affected. Once locations are determined, meetings will be arranged with the appropriate stakeholders.

### **Tohono O'odham Nation**

**Question 25a (wf 1142498):** The Tohono O'odham Nation has 34,000 members and some 62 miles of the U.S.-Mexican border cuts through its traditional homelands, so it has members living on both sides of its border. The Nation has been actively engaged in border protection for many years now, and has been working with DHS to coordinate these efforts. The Nation has been seeking to consult with the Administration regarding the impacts the construction of the proposed wall will have on the Nation and its reservation. In light of the United States' trust responsibility to tribes, and in light of Congress' requirement that DHS actively consult with tribes pursuant to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Please describe what has DHS done to consult the Tohono O'odham Nation thus far?

**ANSWER: (IPL lead, w/ ES/OFAM input)** CBP frequently consults with leaders from the Tohono O'odham Nation (TON) at field and headquarters levels. U.S. Border Patrol (USBP) Tucson Sector leadership hold regular meetings with the TON to discuss all aspects of USBP operations within TON lands, including manpower and infrastructure resourcing. Pursuant to the Department of Homeland Security's Tribal Consultation Policy, "To the greatest extent practicable, subject to Exigent Situations and to the extent permitted by law, DHS will engage in Consultation with affected Tribal Governments prior to adopting policies or taking actions that are identified by DHS as having Tribal Implications." CBP Acting Deputy Commissioner Randolph Alles emphasized the agency's commitment to this consultation in his April 13, 2017 meeting with TON Chairman Manuel and other leaders from the TON. Consistent with DHS policy and with respect for the shared interests with the Tohono O'odham Nation, USBP Sector leadership and CBP will continue to engage TON leaders on issues surrounding implementation of the President's Executive Order.

**Question 25b:** Is DHS also studying technological solutions which may be both more effective on the remote parts of the Nation's reservation and more cost efficient?

**ANSWER: (IPL lead, w/ ES/OFAM input)** DHS understands how critical the state of the border is to the national security of the United States and recognizes the imperative need to deploy and sustain the necessary infrastructure, technology, and personnel along the southern border. DHS and CBP work closely with leaders from the Tohono O'odham Nation (TON) at field and headquarters levels to identify solutions to enhance border security within TON lands. U.S. Border Patrol (USBP) Tucson Sector leadership hold regular meetings with the TON to discuss all aspects of USBP operations within TON lands, including manpower and infrastructure resourcing. In response to the EO, DHS and CBP are leveraging years of institutional knowledge and subject matter expertise in border security operations and

infrastructure construction to formulate an executable plan of action, to include potentially more effective and cost efficient technological solutions. These efforts augment ongoing efforts by CBP and the TON to potentially deploy integrated fixed towers on TON lands, and CBP will continue to work with the TON to move this important project forward.

**Question 25c:** Is DHS aware that construction of the wall in certain parts of the Nation's reservation could cause significant flooding?

**ANSWER: (USBP)** CBP coordinates with Federal and State agencies, as well as the public, to ensure potential environmental impacts are identified and thoroughly evaluated for each project. The U.S. Border Patrol regularly evaluates key issues surrounding border security operations, including terrain, floodplain, waterways, cultural sites, cost, migration patterns, and other important geographical and environmental concerns. CBP and the U.S. Border Patrol will continue to leverage partnerships and dialogue with state and local stakeholders to ensure that the unique operational needs of each region are effectively met.

**Question 25d:** Is DHS requesting additional funding for the Tohono O'odham Nation's tribal border security activities, and if not, why not?

**ANSWER: (IPL lead, w/ ES/OFAM input)** DHS has not requested additional funding specifically dedicated to Tohono O'odham Nation border security activities. Current DHS and CBP funding already support ongoing CBP operations within TON lands. U.S. Border Patrol Tucson Sector leadership regularly engage with TON tribal and law enforcement leaders to coordinate enforcement and improve border security operations.

**Question 25e:** Does DHS support draft legislative language, originally introduced by Senator John McCain in the last congress as part of the Tribal Law and Order Act, which would allow DHS to use some of its budget to repair reservation roads on the Tohono O'odham reservation which have been severely damaged by CBP vehicular traffic?

**ANSWER: (IPL lead, w/ ES/OFAM input)** While DHS and CBP do not typically comment on proposed legislation, CBP is open to working with members of Congress and leaders from the Tohono O'odham Nation to explore improvements to roads and other infrastructure critical to CBP and the TON border security operations on tribal lands.

**NON-RESPONSIVE**

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting  
**Date:** Tuesday, May 30, 2017 3:18:28 PM

---

Hi (b) (6), (b) (7)(C) I have two questions re your answer:

1.

2.

a.

v/r

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Tuesday, May 30, 2017 2:53 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Answer #3 RE: Domestic Policy Council Meeting

Simplified answer:

(b) (5)

(b) (6), (b) (7)(C)

Chief, Portfolio Management and Analysis (PMA) Branch  
Border Patrol & Air and Marine Program Management Office

(b) (5)

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Border Barrier PgMP  
**Date:** Monday, April 24, 2017 12:39:27 PM  
**Attachments:** (b) (5)

---

All,

The attached version has my RE Section input – i.e. Section 15.

I'm not sure what happened – i.e. why this version did not reach y'all?

In any case, the RE section is already written...so please cut the Section 15 from your version and paste in the Section 15 from this version.

v/r

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, April 24, 2017 7:55 AM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** RE: Border Barrier PgMP

It is the most up to date I had so I worked it Friday. Intended to work it through the weekend but I was sick with the crud so it didn't happen ☹

(b) (6), (b) (7)(C)  
Business Operations  
OFAM / BPAM PMO  
(b) (6), (b) (7)(C) (o)  
(b) (6), (b) (7)(C) (m)  
(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, April 24, 2017 5:07 AM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Border Barrier PgMP

Thank you (b) (6), (b) (7)(C) Is this the most recent version to edit? Making sure before I start marking it up.

(b) (6), (b) (7)(C)

Director, Business Operations Division (Acting)  
Border Patrol & Air and Marine Program Management Office  
Facilities Management and Engineering  
Office of Facilities and Asset Management  
Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, April 21, 2017 2:45 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

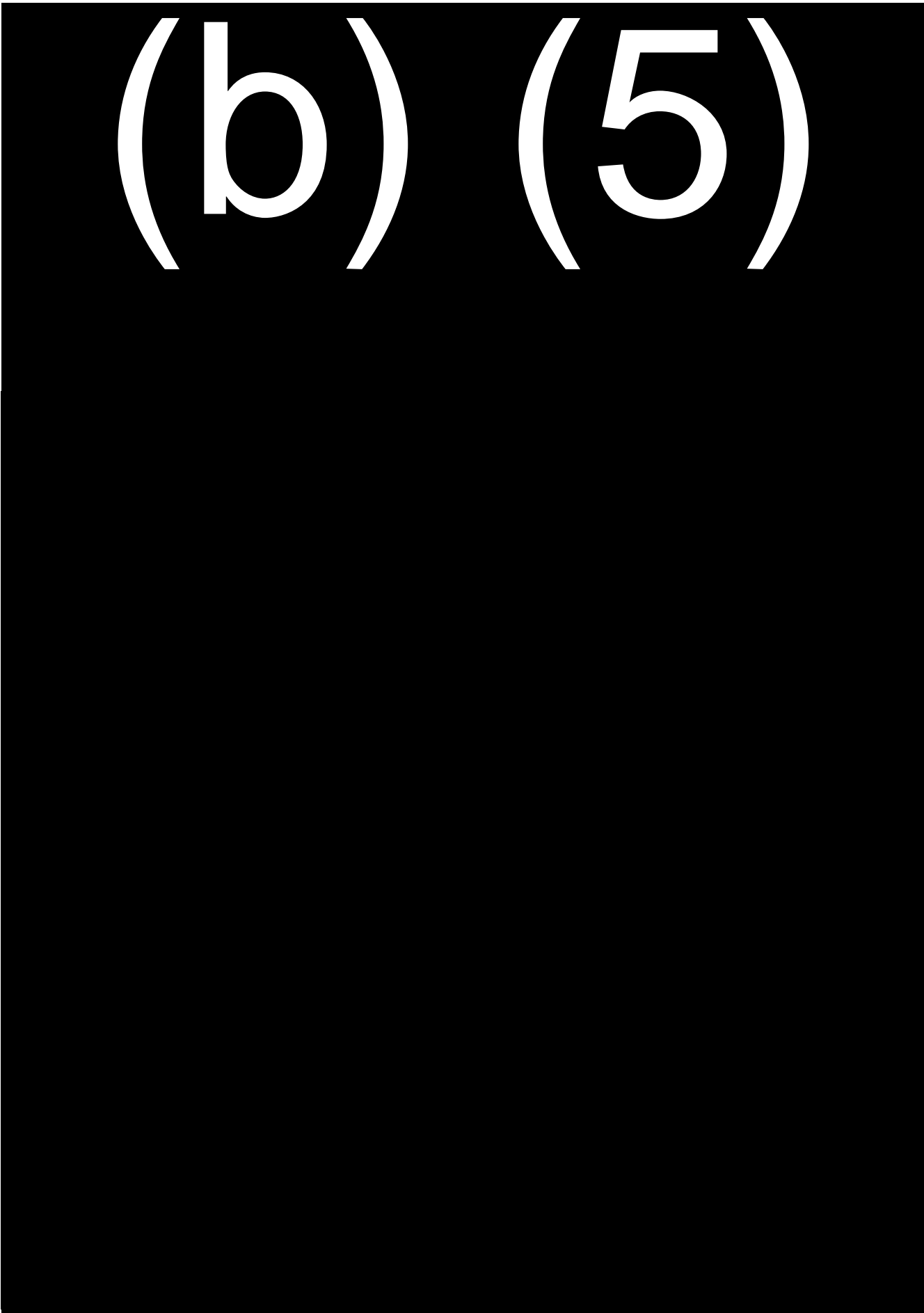
**Subject:** Border Barrier PgMP

Hey everyone (b) (6), (b) (7)(C) wants to keep the PgMP moving to potentially be done next week. I went through and made some updates but would like to get your eyes on it as well. I'm pinch-hitting on this while (b) (6), (b) (7)(C) are out. Please cc (b) (6), (b) (7)(C) on all edits to this when you send them back. I'll be reviewing this weekend/Monday.

Thanks!

(b) (5)

(b) (5)



(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

**From:** CALVO, KARL H.

**Sent:** Friday, May 26, 2017 11:17 AM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C); KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

**Importance:** High

All: Rather than trying to coordinate a call with multiple parties on a Friday before the holiday weekend, I'm attempting to explain what is needed via email. Below I've highlighted those questions from the Domestic Policy Council (DPC) that we need to pull together input from your offices. The highlighted sections are assigned to various offices (either USBP, OCC, Procurement or OFAM). Just to note, the DPC is a high ranking council (similar to NSC but on domestic issues) and has direct input to POTUS. Your help w/ these questions is highly important to ensure we get the answers correctly articulated.

**I need your input by COB Tuesday, May 30<sup>th</sup>. OFAM will compile and send to EAC Kolbe before**



noon on Wednesday, May 31<sup>st</sup>.

I'd like to offer some clarity from my perspective from the meeting that might help with answers:

1.

2.

3.

4.

5.

6.

7.

8.

9.

(b) (5)

10.

11.

12.

(b) (5)

Please call or email me if you have questions. Thanks.

v/r Karl

*Karl H. Calvo, CFM, PMP*

Assistant Commissioner, Office of Facilities and Asset Management  
U.S. Customs and Border Protection  
Washington, DC  
(b) (6), (b) (7)(C) Office)  
(b) (6), (b) (7)(C) cell)

---

**From:** KOLBE, KATHRYN

**Sent:** Friday, May 26, 2017 5:31 AM

**To:** CALVO, KARL H. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

Karl, Would you please coordinate clarification to the questions from yesterday that require follow-up (see asterisks) and provide to my front office for review, as soon as possible. Please help (b) (6), (b) (7)(C) understand the context of question 3. Did you get (b) (6), (b) (7)(C) contact information? Would appreciate your clarification on the highway discussion for internal use only.

(b) (6), (b) (7)(C) Appreciate your assistance with answering question 3 for the White House staff. Karl can provide clarification.

Thank you...VR, KK

Kathryn L. Kolbe

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
[755N-EXEC-CR-NP](#) (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** Border Wall/Fence/TI Communications & Outreach  
**Start:** Wednesday, May 10, 2017 4:00:00 PM  
**End:** Wednesday, May 10, 2017 4:30:00 PM  
**Location:** (b) (7)(E) PIN (b) (7)(E)  
**Attachments:** NON-RESPONSIVE  
(b) (5)

---

Good afternoon,

Please find an agenda for our call this afternoon and meeting notes from yesterday. Please let us know if you have any items to include.

REMINDER: PLEASE DO NOT PUT YOUR PHONE ON HOLD! Please hang up and dial back in if you have to take another call.

Thanks,

(b) (6), (b) (7)(C)

< NON-RESPONSIVE < (b) (5) >

**From:** (b) (6), (b) (7)(C)  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting  
**Date:** Tuesday, May 30, 2017 9:34:13 AM

---

(b) (6), (b) (7)(C) Can you send the most recent white paper? I'm compiling responses now to submit ASAP.

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 8:55 AM  
**To:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting

I said for #4, I meant #2.

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Tuesday, May 30, 2017 8:48:50 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting

(b) (6), (b) (7)(C) for #4, we have that 2-page white paper I prepared, since they're asking for something nlt today, do you want that or something like it? I mean they're asking an extremely broad multi-layered question including - what's the process, how long does it take, why does it take so long, etc.

(b) (5)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, May 29, 2017 8:04:49 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** FW: Domestic Policy Council Meeting

Hi all –

Looks like we need to get these answered asap (sorry, I hate that too) – hoping this isn't a big lift.  
Can we target 10 am Tuesday?

(b) (6), (b) (7)(C) can you take #1? The answer is no – no issues and we can highlight our past meeting and

upcoming one as well.

(b) (6), (b) (7)(C) can you take #2 and #4? I know these answers can be lengthy, but let's try to keep it as straightforward as possible.

BusOps can take #3 – I think we have that answer already (b) (6), (b) (7)(C) – can you confirm)?

1. (b) (5)

2.. (b) (5)

(b) (5)

3. (b) (5)

4. (b) (5)

(b) (6), (b) (7)(C)

Director, Business Operations Division

Border Patrol & Air and Marine Program Management Office

Facilities Management and Engineering

Office of Facilities and Asset Management

Mobile: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 1:10 PM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) CALVO, KARL H. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) >; MILDREW,

SEAN (b) (6), (b) (7)(C)

**Cc:** [REDACTED] (b) (6), (b) (7)(C)

[REDACTED] KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

(b) (5)

(b) (6), (b) (7)(C)

Associate Chief Counsel - Trade and Finance  
Office of the Chief Counsel  
U.S. Customs and Border Protection

(b) (6), (b) (7)(C)

ATTORNEY-CLIENT PRIVILEGED/ATTORNEY WORK PRODUCT

~~This communication might contain communications between attorney and client, communications that are part of the agency deliberative process, or attorney work product, all of which are privileged and not subject to disclosure outside the agency or to the public. Please consult with the Office of Chief Counsel, U.S. Customs and Border Protection before disclosing any information contained in this email.~~

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 12:31 PM

**To:** [REDACTED] (b) (6), (b) (7)(C) CALVO, KARL H.

[REDACTED] (b) (6), (b) (7)(C)

[REDACTED] MILDREW,  
SEAN (b) (6), (b) (7)(C)

**Cc:** [REDACTED] (b) (6), (b) (7)(C)

[REDACTED] KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** RE: Domestic Policy Council Meeting

Karl – we will need to loop in OCC for confirmation, [REDACTED] (b) (5)

(b) (6), (b) (7)(C)

Executive Director, Budget Directorate  
U.S. Customs and Border Protection  
Department of Homeland Security

(b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, May 26, 2017 11:22 AM

**To:** CALVO, KARL H. [REDACTED] (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) MILDREW,  
SEAN <(b) (6), (b) (7)(C)>  
**Cc:** (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) KOLBE, KATHRYN (b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meeting

Karl, thanks for this. (b) (5)

(b)(6) (b)(7)(c)

(b) (6), (b) (7)(C)

Deputy Assistant Commissioner, Acquisition  
Head of the Contracting Activity

Location: (b) (6), (b) (7)(C)

Desk: (b) (6), (b) (7)(C)

Cell (b) (6), (b) (7)(C)

Main: (b) (6), (b) (7)(C)

---

**From:** CALVO, KARL H.

**Sent:** Friday, May 26, 2017 11:17 AM

**To:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) MILDREW, SEAN <(b) (6), (b) (7)(C)>

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C); KOLBE, KATHRYN (b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

**Importance:** High

All: Rather than trying to coordinate a call with multiple parties on a Friday before the holiday weekend, I'm attempting to explain what is needed via email. Below I've highlighted those questions from the Domestic Policy Council (DPC) that we need to pull together input from your offices. The highlighted sections are assigned to various offices (either USBP, OCC, Procurement or

OFAM). Just to note, the DPC is a high ranking council (similar to NSC but on domestic issues) and has direct input to POTUS. Your help w/ these questions is highly important to ensure we get the answers correctly articulated.

**I need your input by COB Tuesday, May 30<sup>th</sup>. OFAM will compile and send to EAC Kolbe before noon on Wednesday, May 31<sup>st</sup>.**

I'd like to offer some clarity from my perspective from the meeting that might help with answers:

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(b) (5)



(b) (5)

8.

9.

10

11

12

(b) (5)

Please call or email me if you have questions. Thanks.

v/r Karl

*Karl H. Calvo, CFM, PMP*

Assistant Commissioner, Office of Facilities and Asset Management  
U.S. Customs and Border Protection  
Washington, DC  
(b) (6), (b) (7)(C) Office)  
(b) (6), (b) (7)(C) cell)

---

**From:** KOLBE, KATHRYN

**Sent:** Friday, May 26, 2017 5:31 AM

**To:** CALVO, KARL H. (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**Subject:** FW: Domestic Policy Council Meeting

Karl, Would you please coordinate clarification to the questions from yesterday that require follow-up (see asterisks) and provide to my front office for review, as soon as possible. Please help (b) (6), (b) (7)(C) understand the context of question 3. Did you get (b) (6), (b) (7)(C) ontact information? Would appreciate your clarification on the highway discussion for internal use only.

(b) (6), (b) (7)(C) Appreciate your assistance with answering question 3 for the White House staff. Karl can provide clarification.

Thank you...VR, KK

Kathryn L. Kolbe  
Executive Assistant Commissioner  
Enterprise Services  
U.S. Customs and Border Protection  
Office (b) (6), (b) (7)(C)  
Cell (b) (6), (b) (7)(C)

---

**From:** VITIELLO, RONALD D (USBP)  
**Sent:** Friday, May 26, 2017 5:21 AM  
**To:** KOLBE, KATHRYN (b) (6), (b) (7)(C)  
**Subject:** RE: Domestic Policy Council Meetings

thanks

Ronald Donato Vitiello  
Acting Deputy Commissioner  
Customs and Border Protection  
(b) (6), (b) (7)(C)



---

**From:** KOLBE, KATHRYN  
**Sent:** Thursday, May 25, 2017 9:51 PM  
**To:** MCALEENAN, KEVIN K (b) (6), (b) (7)(C); VITIELLO, RONALD D (USBP)  
(b) (6), (b) (7)(C)  
**Cc:** FLANAGAN, PATRICK S (b) (6), (b) (7)(C); CALVO, KARL H.  
(b) (6), (b) (7)(C); PROVOST, CARLA (USBP) (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
**Subject:** Domestic Policy Council Meetings

Commissioner/Deputy,

The meeting with the DPC today went well. (b) (6), (b) (7)(C), AC Calvo & I attended. We briefed Andrew Bremberg, Assistant to the President for Domestic Policy; Paul Winfree, Deputy Assistant to the President, Director of Budget Policy; Gene Hamilton, Senior Counselor to the Secretary, DHS; and several others with immigration-related responsibilities.

Some key takeaways: (b) (5)

(b) (5)

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5.

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8.

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12

(b) (5)

VR, KK

Kathryn L. Kolbe  
Executive Assistant Commissioner  
Enterprise Services  
U.S. Customs and Border Protection  
Office (b) (6), (b) (7)(C)  
Cel (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)  
To: (b) (6), (b) (7)(C)  
Cc: (b) (6), (b) (7)(C)  
Subject: (b) (6) MEETING NOTES: 3/24 Follow-on Meeting at RRB  
Date: Friday, March 24, 2017 3:06:15 PM

---

NOTES FROM THIS AFTERNOON'S MEETING AT CBP HQ. The meeting convened, after check-ins on the phone, at 1404:

(1) Update from Tucson Sector, who met with T.O. Chairman Thursday, March 23. Chief (b) (6), (b) (7)(C) Ed Manuel (Chairman), Liaisons, Verdon Jose (Deputy Chairman). Good meeting. Tucson Sector asked questions. Nation has a draft Resolution condemning wall. Chairman supports Chukut Kuk difference, but also supports Gu Vo position. Chairman calls IFT "Virtual Wall." (b) (5)  
Chairman and Vice Chairman left the meeting feeling good. (b) (5)

(b) (5)

(2) After the Tucson Sector meeting with Chairman and Vice Chairman they learned Legislative Council was upset to not be invited to the meeting.  
(3) There is a protest at the San Miguel gate tomorrow, Saturday, March 25 by internal and outside entities about Wall.  
(4) Chief (b) (6), (b) (7)(C) asked for additional authority to provide additional details (about DHS/CBP procurement plans) to build trust.  
(5) DHS has an issued memo regarding consultations with tribes to be affected by (wall procurement) actions...the senior leaders in the meeting discussed the applicability of the memo to the current. Senior group members feelings were that memo authority is applicable once the plan is developed.

(b) (5)

(9) The group was updated by (b) (6), (b) (7)(C) on Environmental. (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) discussed EA printed copy dates. (b) (5)

(b) (5)

(b) (5)

(12) Land valuation discussed. OCC (b) (6), (b) (7)(C) points out that it's different than private land transactions because U.S. government restricted to valuation based on extrinsic value --market surveys--and can't compensate for non-economic factors.

(b) (5)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 5:01:44 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** (b) (6) MEETING NOTES: Meeting at RRB

Notes from the CBP HQ Meeting this afternoon:

(1) White House ("DPC") postponed T.O. visit this week due to scheduling conflict, anticipate reschedule into mid-April.

(2) T.O. Chairman and Legislative Council notified by Tucson Sector.

(3) Discussed optics in Arizona of the rescheduling by DPC. Some coordination of messaging roles between OBP HQ and Tucson Sector.

(4) T.O. reaching out to DC (CBP) with the Nation's lobbying arm to understand DPC postponement better.

(5) Mid-April regular T.O. Legislative Council Session is mid-April.

(6) Tucson Sector visited T.O. legal and Chairman last Friday, March 17. Chairman leaning hard for "No Wall." T.O. Legal gave a list of real estate negotiation "Entrance Criteria" for starting Real Estate negotiations.

(7) T.O. claimed that Operational Control has been reached on the Nation at Friday's meeting.

(8) (b) (6), (b) (7)(C) heard nothing new from T.O. at Friday's meeting with Legal regarding Real Estate negotiation "Entrance Criteria."

(9) T.O. wants CBP to put forth the first round real estate right of way grant language. (b) (5)

(10) CBP OCC (b) (6) committed to having draft of Right of Way grant language by March 31 (end of next week).

(b) (5)

(b) (5)

(19 (b) (6), (b) (7)(C) discussed EA/ FONSI/ BIA FONSI process steps. Chief (b) (6), (b) (7)(C) is anxious to put his signature on the FONSI.

(b) (5)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 12:52:22 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

10-4 Sir. I will be on the call.

Thanks,

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 9:51:50 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

(b) (6), (b) (7)(C) the meeting has slipped two hours, to a new start time of 1300 Arizona Time (1600 EDT).

Thanks ,

(b) (6), (b) (7)(C) (Deployment Project Manager)  
Fixed Towers Program  
DHS/CBP/USBP/PMO Directorate  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
Office Ph: (b) (6), (b) (7)(C)  
CBP Mobil  
E-mail: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 11:57 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

USBP HQ has asked that I be present in the conference room this afternoon (late morning your time) for the IFT Project on the T.O. Land conference call. I'll be physically in the room, as will also be (b) (6), (b) (7)(C)

Thanks,

(b) (6), (b) (7)(C) (Deployment Project Manager)  
Integrated Fixed Towers Program  
DHS/CBP/USBP/PMO Directorate  
CBP Arlington VA: 1901 S Bell St Fl 7  
Arlington VA 20598-000  
Office Ph: (b) (6), (b) (7)(C)  
CBP Mobil  
E-mail: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 11:32 AM

**To:** (b) (6), (b) (7)(C)

**Subject:** Meeting at RRB

(b) (6), (b) (7)(C)

I spoke with (b) (6), (b) (7)(C) and he agreed that you should be present there at the meeting.

V/r, (b) (6), (b) (7)(C)

**From:** (b) (6), (b) (7)(C) L  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE (b) (6), (b) (7)(C) MEETING NOTES: 3/24 Follow-on Meeting at RRB  
**Date:** Friday, March 24, 2017 3:37:58 PM

---

This does not sound positive.

By our eye balls (b) (7)(E)

Thanks

(b) (6), (b) (7)(C)

Deputy PM Intergrated Fixed Towers (IFT)  
PMOD/USBP

(b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Friday, March 24, 2017 3:06 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** (b) (6) MEETING NOTES: 3/24 Follow-on Meeting at RRB

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Chairman and Vice Chairman left the meeting feeling good. (b) (5)

(b) (5)

- (2) After the Tucson Sector meeting with Chairman and Vice Chairman they learned Legislative Council was upset to not be invited to the meeting.
- (3) There is a protest at the San Miguel gate tomorrow, Saturday, March 25 by internal and outside entities about Wall.
- (4) Chief (b) (6), (b) (7)(C) asked for additional authority to provide additional details (about DHS/CBP procurement plans) to build trust.
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procurement) actions...the senior leaders in the meeting discussed the applicability of the memo to the current. Senior group members feelings were that memo authority is applicable once the plan is developed.

(b) (5)

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(b) (5)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 5:01:44 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C) J  
**Subject:** (b) (6) MEETING NOTES: Meeting at RRB

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(b) (5)

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(b) (5)

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From: (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 12:52:22 PM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

10-4 Sir. I will be on the call.

Thanks,

(b) (6), (b) (7)(C)

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**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

(b) (6), (b) (7)(C), the meeting has slipped two hours, to a new start time of 1300 Arizona Time (1600 EDT).

Thanks,

(b) (6), (b) (7)(C) (Deployment Project Manager)

Integrated Fixed Towers Program

DHS/CBP/USBP/PMO Directorate

CBP Arlington VA: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Office Ph: (b) (6), (b) (7)(C)

CBP Mobile:

E-mail: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)

**Sent:** Monday, March 20, 2017 11:57 AM

**To:** (b) (6), (b) (7)(C)

**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

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Thanks ,

(b) (6), (b) (7)(C) (Deployment Project Manager)  
Integrated Fixed Towers Program  
DHS/CBP/USBP/PMO D

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
Office Ph: (b) (6), (b) (7)(C)  
CBP Mobile:  
E-mail: (b) (6), (b) (7)(C)

---

**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 11:32 AM  
**To:** (b) (6), (b) (7)(C)  
**Subject:** Meeting at RRB

(b) (6), (b) (7)(C)

I spoke with (b) (6), (b) (7)(C) and he agreed that you should be present there at the meeting.

V/r, (b) (6), (b) (7)(C)

From: (b) (6), (b) (7)(C)  
To: (b) (6), (b) (7)(C)  
Cc: (b) (6), (b) (7)(C)  
Subject: FW: Tohono O'odham Nation releases video opposing border wall  
Date: Monday, February 27, 2017 3:25:59 PM  
Attachments: [Issue-Brief-Tohono-Oodham-Nation-Opposes-Border-Wall.pdf](#)

---

Not sure if you guys have seen this?

Thanks,

(b) (6), (b) (7)(C)

Tucson Sector Tribal Liaison

Office: (b) (6), (b) (7)(C)

Cell: (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) [ov](#)

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From: (b) (6), (b) (7)(C)  
Sent: Wednesday, February 22, 2017 3:59 PM  
To: (b) (6), (b) (7)(C)  
Subject: Tohono O'odham Nation releases video opposing border wall

(b) (6), (b) (7)(C)

Don't know if you have seen this.

Interesting:

Video (need non-gov computer to view)

[http://tucson.com/news/local/border/tohono-o-odham-nation-releases-video-opposing-border-wall/article\\_4f8c761c-f883-11e6-bbf1-a7d540b222ff.html](http://tucson.com/news/local/border/tohono-o-odham-nation-releases-video-opposing-border-wall/article_4f8c761c-f883-11e6-bbf1-a7d540b222ff.html)

TON Issue Brief opposing a “Border Wall”

<http://www.tonation-nsn.gov/wp-content/uploads/2017/02/Issue-Brief-Tohono-Oodham-Nation-Opposes-Border-Wall.pdf>

# ISSUE BRIEF: THE TOHONO O'ODHAM NATION OPPOSES A "BORDER WALL"



## Background

The Tohono O'odham have resided in what is now southern and central Arizona and northern Mexico since time immemorial. The Gadsden Purchase of 1853 divided the Tohono O'odham's traditional lands and separated their communities. Today, the Nation's reservation includes 62 miles of international border. The Nation is a federally recognized tribe of 34,000 members, including more than 2,000 residing in Mexico.

Long before there was a border, tribal members traveled back and forth to visit family, participate in cultural and religious events, and many other practices. For these reasons and many others, the Nation has opposed fortified walls on the border for many years.

## Border Impacts on the Nation

In 1993, Federal policy tightened border security at U.S. ports of entry, which funneled the flow of undocumented immigrants into the Nation's lands and other remote desert regions.

The Nation continues to face many challenges due to this crisis. For more than a decade, the Nation has spent an average of \$3 million annually on border security and enforcement. The Nation's police force typically spends 60% of its time on border-related issues. Drug cartels have attempted to infiltrate the Nation's communities and recruit tribal members as smugglers. The Nation has been working very hard over many years to address these issues. Building a border wall has never been considered a practical solution.

## A Wall is Not the Answer

The Tohono O'odham Nation Legislative Council has passed over twenty resolutions opposing a border wall, most recently reaffirming that the Nation "opposes the construction of a physical wall on its southern boundary" (Feb. 7, 2017). The resolution lays out the many cultural, environmental, and historical reasons for opposing a wall.

However, the most straightforward reason is that a wall simply won't work. The rugged desert environment, which includes mountains with sheer cliffs and washes prone to flash floods, makes a solid wall unworkable in many locations.

Experience shows that undocumented immigrants will simply tunnel under or climb over walls. These techniques are used frequently even in more populated border areas.

Drug smugglers have proven even more inventive at bypassing physical walls. Most recently, Border Patrol agents discovered smugglers had *attached a catapult* to an existing border fence designed to launch drugs across to accomplices on the other side.

## The Nation's Existing Border Security Measures

In place of a static, easily bypassed wall, the Nation has taken the lead in partnering with agencies on a comprehensive, flexible and successful approach to border security. Measures include:

- Extensive vehicle barriers constructed 2007-2008
- On-reservation ICE office since 1974
- Two CBP forward Law Enforcement Centers
- CBP highway checkpoints
- TOPD is lead agency in NATIVE HIDTA Task Force
- Infrastructure improvements to roads used by CBP
- Regular town hall meetings with CBP
- Support for full staffing of ICE's Shadow Wolves
- Support for DHS-Nation coordination agreement
- Seeking funding to fill on-reservation radio gaps
- Moving to implement CBP's IFT surveillance system

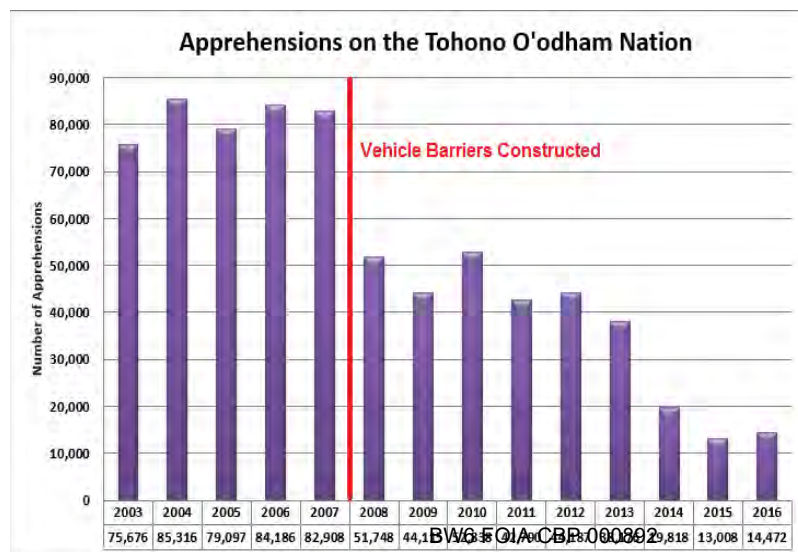
Due to these efforts, there has been a massive 84% decline in the number of undocumented migrant apprehensions on the Nation's lands in just over a decade. The most significant reduction came with the implementation and completion of the vehicle barrier. Apprehensions nearly dropped in half at that time. (*Exhibit A*)

## Moving Forward

The Nation is profoundly affected by the border crisis and the policies that are being developed to address it. The Nation remains committed to protecting its members and the U.S. homeland. The Nation simply wants a seat at the table in developing and implementing border policies that will impact its lands and people.

The track record of the last decade shows that close partnership between the Nation and other agencies is tremendously effective. The Nation hopes to build on this successful record of cooperation in its interactions with the new administration.

The Nation invites the President, the Secretary of Homeland Security, and other leaders to visit, see the unique challenges it faces, and begin a productive conversation on effective border security policies.



From: (b) (6), (b) (7)(C)  
To: (b) (6), (b) (7)(C)  
Cc: (b) (6), (b) (7)(C)  
Subject: [FOUO] (b) (6), (b) (7)(C) MEETING NOTES: 3/31 Follow-on Meeting at RRB  
Date: Friday, March 31, 2017 2:38:04 PM

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NOTES FROM THIS AFTERNOON'S MEETING AT CBP HQ. The meeting convened, after check-ins on the phone, at 1402 EDT:

- (1) There were no Tucson Sector new meetings with the T.O. this week.
  - (2) DOJ took CBP talking points to a visit to the T.O. this week. No information back from DOJ, yet. (b) (5)
  - (3) (b) (6), (b) (7)(C) updated environmental. CBP FONSI signed March 28. EA and CBP FONSI is in print production. First ten hardcopies will be printed by Wednesday, April 5...and they should ship same day and arrive at Tucson Sector on April 7 or April 10. Tucson Sector can deliver the first ten copies to the T.O. on April 10 or April 21. The remaining 40+ copies will print and ship a few days later, and those aren't essential to a hypothetical Special Session of T.O.L.C.
  - (4) Legislative Council, Legislative Affairs, and Legislative Council will receive the first ten printed EA copies.
  - (5) (b) (6), (b) (7)(C) (BMPs) asked for a CD-ROM copy of the EA (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) will bring the CD-ROM to HQ next week. (b) (6), (b) (7)(C) e-mailed the BMPs to them during the meeting this afternoon).
  - (6) (b) (6), (b) (7)(C) drafted R.O.W. language in the middle of this week, routed it to USBP Sector, HQ and IFT Program. (b) (6), (b) (7)(C) talked about the language proposed by CBP (b) (5)
  - (7) (b) (6), (b) (7)(C) said the T.O. will receive our draft R.O.W. grant language (next week)...then the final grant language will be negotiated...then the Draft Resolution language will be based on the R.O.W. grant language (b) (6), (b) (7)(C) expressed that we can weigh in on the draft Resolution language and ask for changes, but that T.O. need not accept CBP changes requests. (b) (6), (b) (7)(C)
- (b) (5)
- (9) (b) (6), (b) (7)(C) suggested that Real Estate get the draft R.O.W. grant language to T.O. Counsel quickly and begin discussions and negotiations.
  - (10) (b) (6), (b) (7)(C) brought up the new Overarching Memorandum of Understanding that the Nation also wants. (b) (6), (b) (7)(C) expressed that this MOA is happening, in part, because of a new, February 2016 regulation that authorizes tribes to have a "separate agreement" in parallel with Rights Of Way. The overarching MOA/Separate Agreement are both required before a Resolution can be voted on/approved. CBP must, therefore, execute both a R.O.W. and MOA (be bound) before a Resolution can be approved.
  - (11) (b) (6), (b) (7)(C) re-capped that CBP Draft R.O.W. grant language will go to T.O. next week...and the EA hardcopies will be in T.O. by April 11.
  - (12) Another of these meetings will be held next week. (b) (6), (b) (7)(C) will be on travel next week



but will dial in.

Meeting ended at 1435 EDT.

Thanks,

(b) (6), (b) (7)(C) Project Manager, IFT Prgrm  
DHS/CBP/HQ US Border Patrol  
CBP Mobile Ph: (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

\*\*\*\*This e-mails was typed on a Govt Smartphone....PLEASE excuse any Autospell  
Nonsense\*\*\*\*

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Friday, March 24, 2017 3:06:14 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** (b) (6), (b) (7)(C) MEETING NOTES: 3/24 Follow-on Meeting at RRB

NOTES FROM THIS AFTERNOON'S MEETING AT CBP HQ. The meeting convened, after check-ins on the phone, at 1404:

(1) Update from Tucson Sector, who met with T.O. Chairman Thursday, March 23. Chief (b) (6), (b) (7)(C) Ed Manuel (Chairmain), Liaisons, Verdon Jose (Deputy Chairman). Good meeting. Tucson Sector asked questions. Nation has a draft Resolution condemning wall. Chairman supports Chukut Kuk difference, but also supports Gu Vo position. Chairman calls IFT "Virtual Wall." (b) (5)

Chairman and Vice Chairman left the meeting feeling good. (b) (5)

(2) After the Tucson Sector meeting with Chairman and Vice Chairman they learned Legislative Council was upset to not be invited to the meeting.

(3) There is a protest at the San Miguel gate tomorrow, Saturday, March 25 by internal and outside entities about Wall.

(4) Chief (b) (6), (b) (7)(C) asked for additional authority to provide additional details (about DHS/CBP procurement plans) to build trust.

(5) DHS has an issued memo regarding consultations with tribes to be affected by (wall procurement) actions...the senior leaders in the meeting discussed the applicability of the memo to the current. Senior group members feelings were that memo authority is applicable once the plan is developed.

(b) (5)

(9) The group was updated by (b) (6), (b) (7)(C) on Environmental. (b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C) discussed EA printed copy dates. (b) (5)

(b) (5)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 5:01:44 PM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** (b) (6), (b) (7)(C) MEETING NOTES: Meeting at RRB

Notes from the CBP HQ Meeting this afternoon:

- (1) White House ("DPC") postponed T.O. visit this week due to scheduling conflict, anticipate reschedule into mid-April.
- (2) T.O. Chairman and Legislative Council notified by Tucson Sector.
- (3) Discussed optics in Arizona of the rescheduling by DPC. Some coordination of messaging roles between OBP HQ and Tucson Sector.
- (4) T.O. reaching out to DC (CBP) with the Nation's lobbying arm to understand DPC postponement better.
- (5) Mid-April regular T.O. Legislative Council Session is mid-April.
- (6) Tucson Sector visited T.O. legal and Chairman last Friday, March 17. Chairman leaning hard for "No Wall." T.O. Legal gave a list of real estate negotiation "Entrance Criteria" for

starting Real Estate negotiations.

(7) T.O. claimed that Operational Control has been reached on the Nation at Friday's meeting.

(8) (b) (6), (b) (7)(C) heard nothing new from T.O. at Friday's meeting with Legal regarding Real Estate negotiation "Entrance Criteria."

(9) T.O. wants CBP to put forth the first round real estate right of way grant language. (b) (5)

(10) CBP OCC (b)(6);(b)(7)(C) committed to having draft of Right of Way grant language by March 31 (end of next week).

(b) (5)

(19) (b) (6), (b) (7)(C) discussed EA/ FONSI/ BIA FONSI process steps. Chief (b)(6);(b)(7)(C) is anxious to put his signature on the FONSI.

(b) (5)

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From: (b) (6), (b) (7)(C)

Sent: Monday, March 20, 2017 12:52:22 PM

To: (b) (6), (b) (7)(C)

Cc: (b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

10-4 Sir. I will be on the call.

Thanks,

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 9:51:50 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)  
**Subject:** RE: Meeting at RRB

(b) (6), (b) (7)(C) the meeting has slipped two hours, to a new start time of 1300 Arizona Time (1600 EDT).

Thanks,

(b) (6), (b) (7)(C) (Deployment Project Manager)  
Integrated Fixed Towers Program  
DHS/CBP/USBP/PMO D  
(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
Office Ph: (b) (6), (b) (7)(C)  
CBP Mobil  
E-mail: (b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 11:57 AM  
**To:** (b) (6), (b) (7)(C)  
**Cc:** (b) (6), (b) (7)(C)

**Subject:** RE: Meeting at RRB

USBP HQ has asked that I be present in the conference room this afternoon (late morning your time) for the IFT Project on the T.O. Land conference call. I'll be physically in the room, as will also be (b) (6), (b) (7)(C)

Thanks,

(b) (6), (b) (7)(C) (Deployment Project Manager)

Integrated Fixed Towers Program  
DHS/CBP/USBP/PMO D

(b) (6)  
(b) (6), (b) (7)(C)  
CBP Mobile:  
E-mail: (b) (6), (b) (7)(C)

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**From:** (b) (6), (b) (7)(C)  
**Sent:** Monday, March 20, 2017 11:32 AM  
**To** (b) (6), (b) (7)(C)  
**Subject:** Meeting at RRB

(b) (6), (b) (7)(C)

I spoke with (b) (6), (b) (7)(C) and he agreed that you should be present there at the meeting.

V/r, (b) (6), (b) (7)(C)